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**THE NATIONAL ASSEMBLY**

**THIRTEENTH PARLIAMENT- THIRD SESSION - 2024**

**DEPARTMENTAL COMMITTEE ON DEFENCE, INTELLIGENCE AND FOREIGN  
RELATIONS**

**REPORT ON:**

**THE VETTING OF NOMINEES FOR APPOINTMENT TO THE POSITIONS OF HIGH  
COMMISSIONERS/PERMANENT REPRESENTATIVES/AMBASSADORS/CONSULS-  
GENERAL**

**(VOLUME I)**

THE NATIONAL ASSEMBLY  
PAPERS LAID

DATE: 16 APR 2024 DAY: Tuesday

TABLED BY: Hon. Nelson Koech (Chairperson, Defence, Intelligence & Foreign Relations Committee)

CLERK-AT THE-TABLE: Inzaju Mwale

**CLERK'S CHAMBERS  
DIRECTORATE OF DEPARTMENTAL COMMITTEES  
PARLIAMENT BUILDINGS  
NAIROBI**

**APRIL, 2024**

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## LIST OF ABBREVIATIONS AND ACRONYMS

AFBA	African Bar Association
AGOA	African Growth and Opportunity Act
APFPD	Africa Parliamentary Forum on Population and Development
AU	African Union
AWLA	African Women Lawyers Association
AWM	Adventist Women's Ministries
BETA	Bottom-up Economic Transformation Agenda
CA	Communications Authority of Kenya
CBK	Central Bank of Kenya
CBS	Chief of the Order of Burning Spear
CEMIRIDE	Centre for Minority Rights Development
CEO	Chief Executive Officer
CEO	Chief Executive Officer
CEU	Central European University
CITAM	Christ is the Answer Ministries
CLE	Council of Legal Education
COMESA	Common Market for Eastern and Southern Africa
CUE	Commission for University Education
CUE	Commissioner for University Education
DCI	Directorate of Criminal Investigations
DO	District Officer
EAC	East Africa Community
EAC	East African Community
EACC	Ethics and Anti-Corruption Commission
EACJ	East African Court of Justice
EACRF	East African Community Regional Force
EALA	East African Legislative Assembly
EALS	East Africa Law Society
EBS	Elder of the Order of the Burning Spear
EPRA	Energy and Petroleum Regulatory Authority
EU	European Union
FDI	Foreign Direct Investment
FIDA	Federation of Women Lawyers in Kenya
FIDA	Federation of Women Lawyers
HELB	Higher Education Loans Board
HSC	Head of State's Commendation
ICC	International Criminal Court
ICF	International Coach Federation
ICFTU	International Confederation of Free Trade Unions
ICIPE	International Centre of Insect Physiology and Ecology
ICRAF	International Centre for Research in Agroforestry
ICT	Information and Communication Technology
ICTR	International Criminal Tribunal for Rwanda
ID	Identification Card
IEBC	Independent Boundaries and Electoral Commission
IEBC	Independent Electoral and Boundaries Commission
IGAD	Intergovernmental Authority on Development
IHRM	Institute of Human Resource Management

ILO	International Labour Organization
ILRI	International Livestock Research Institute
IMF	International Monetary Fund
IPT	Intellectual Property Tribunal
ITCILO	International Training Centre of the International Labour Organization
JKUAT	Jomo Kenyatta University of Agriculture and Technology
KAPAM	Kenya and Kenya Association for Public Administration and Management
KCSE	Kenya Certificate for Secondary Education
KDF	Kenya Defence Forces
KEPSA	Kenya Private Sector Alliance
KGGCU	Kenya Grain Growers Cooperation Union
KHRC	Kenya Human Rights Commission
KMTC	Kenya Medical Training College
KNCHR	Kenya National Commission on Human Rights
KNQA	Kenya National Qualifications Authority
KNUT	Kenya National Union of Teachers
KRA	Kenya Revenue Authority
KSL	Kenya School of Law
LLB	Bachelor of Laws
LLM	Masters of Laws
LSK	Law Society of Kenya
MBA	Master of Business Administration
MBS	Moran of the Order of the Burning Spear
MCA	Member of County Assembly
MDAs	Ministries, Departments and Agencies
MFA	Ministry of Foreign Affairs
MOU	Memorandum of Understanding
NEC	National Executive Council
NHC	National Housing Corporation
NIS	National Intelligence Service
NSSF	National Social Security Fund
ODA	Overseas Development Agency
ODM	Orange Democratic Movement
OGW	Order of the Grand Warrior
ORPP	Office of the Registrar of Political Parties
PhD	Doctor of Philosophy
SACCO	Savings and Credit Cooperative Organization/Society
SADC	Southern African Development Community
SRC	Salaries and Remuneration Commission
UDA	United Democratic Alliance
UDM	United Democratic Movement
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNGA	United Nations General Assembly
UNHCR	United Nations High Commission for Refugees
UNOC	Uganda National Oil Company

UNON  
USA  
WDM-K  
WHO

United Nations Office at Nairobi  
United States of America  
Wiper Democratic Movement-Kenya  
World Health Organization

## LIST OF ANNEXURES (VOLUME II OF THE REPORT)

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- Annexure 2: Message from the Hon. Speaker to the House regarding nomination of persons for appointment as High Commissioners, Permanent Representative, Ambassadors, and Consuls-General
- Annexure 3: Advertisement notifying the public of the approval hearing and submission of memoranda
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## CHAIRPERSON'S FOREWORD

This report details the proceedings of the Departmental Committee on Defence, Intelligence, and Foreign Relations during the approval hearings of twenty-seven (27) persons nominated for appointment as High Commissioners, Ambassadors, Permanent Representatives, and Consuls-General. The purpose of the approval hearing was to ascertain the suitability of the nominees to discharge the responsibilities of the offices to which they had been nominated.

The Committee is established pursuant to Article 124 (1) of the Constitution and the National Assembly Standing Order 216. The National Assembly Standing Order 216 spells out the mandate of Departmental Committees which includes to: *vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (that are done by the Committee on Appointments)*. Further, the Second Schedule of the Standing Orders allocates the Committee, among others, to oversight *foreign relations, diplomatic and consular services, and international relations*.

The Office of High Commissioner, Ambassador, Permanent Representative and Consul-General is an office under the Ministry of Foreign and Diaspora Affairs. The duties of the office, pursuant to Section 21 of the Foreign Service Act Cap 185E, are to: actively pursue the foreign policy objective of the Republic; act as the personal representative of the Head of State; act as an official representative of the Republic at official functions in the host country; be responsible for the management and administration of the Mission; and be accountable for any expenditure of the Mission.

All the nominees, save for Hon. Vincent Kemosi Mogaka who had withdrawn from the approval hearing hence his nomination lapsing, appeared before the Committee for approval hearings from 4<sup>th</sup> to 11<sup>th</sup> April, 2024. The Committee examined the nominees against the criteria set out in Section 7 of the Public Appointments (Parliamentary Approval) Act, Cap 7F.

Having conducted the approval hearings pursuant to Article 132(2)(e) of the Constitution; Sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, Cap 7F; Section 20 (2) of the Foreign Service Act, Cap 185E and Standing Order 216(5)(f) of the National Assembly, the Committee recommends that the House approves all the nominees that appeared for approval hearings except Mr. Charles Githinji Keiru, a nominee for Consul-General (Goma, DRC), who didn't satisfy the Committee on his suitability for the position. Further, the Committee recommends that henceforth, Consuls-General should undergo vetting after their nomination by the appointing authority and that the appointing authority recalls the serving Consuls-General not vetted for vetting and approval by the National Assembly.

I take this opportunity to thank all the Members of the Committee for their input and valuable contributions during the approval hearings and preparation of this report. The Committee also appreciates the Offices of the Speaker and of the Clerk of the National Assembly for the technical support accorded to it during the exercise.

On behalf of the Committee and pursuant to Standing Order 199(6) of the National Assembly, it is now my duty and privilege to present to the House, the Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on the Approval Hearings of Twenty-Seven (27) Persons Nominated for Appointment to the Offices of High Commissioners, Ambassadors, Permanent Representative and Consuls-General.

**Hon. Nelson Koech, M.P.**

**Chairperson, Committee on Defence, Intelligence and Foreign Relations**



## EXECUTIVE SUMMARY

Article 124(4)(a) of the Constitution provides that when a House of Parliament considers any appointment for which its approval is required under the Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House.

Pursuant to Articles 132(2)(e) and Section 5 of the Public Appointments (Parliamentary Approval) Act, Cap 7F, His Excellency the President forwarded to the Speaker of the National Assembly a notification of nomination containing the names and curricula vitae of twenty-seven (27) persons for appointment to the positions of High Commissioners, Ambassadors, Permanent Representatives and Consuls-General for consideration for approval by the National Assembly.

On **Thursday, 21<sup>st</sup> March 2024**, and pursuant to Standing Order 42(1), the Speaker of the National Assembly communicated the Message to the House. Pursuant to Section 4 of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 216(5)(f), the nominees' names were referred to the Departmental Committee on Defence Intelligence and Foreign Relations for vetting and reporting to the House within twenty-eight (28) days.

In accordance with Section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Clerk of the National Assembly placed an advertisement in the print media on **Saturday, 23<sup>rd</sup> March 2024**, inviting the public to submit memoranda by way of written statements on oath (*affidavit*) on the suitability or otherwise of each of the nominees in accordance with the provisions of the Public Appointments (Parliamentary Approval) Act, Cap 7F.

The advertisement indicated that the submissions were to be received by **Tuesday, 2<sup>nd</sup> April 2024** at 5.00 pm. By the close of the submission deadline, the Committee had received one memorandum from Mr John Katithi Mueke expressing his support for the nomination of Ms Carolyn Kamende Daudi as the High Commissioner of Kenya to Ottawa, Canada (Annexure 8).

Additionally, the Clerk wrote to relevant agencies in compliance with the requirements of Chapter Six of the Constitution on Leadership and Integrity. All the agencies save for EACC cleared the nominees and affirmed their good standing in matters tax compliance, criminal records, higher education loan repayments, political party affiliations and ethics and integrity. However, the EACC through a letter dated **28<sup>th</sup> March 2024**, (*Annexure 6*) stated that it had received adverse reports against **Mr. David Kiplangat Kerich, Mr. Ekitela Erastus Lokaale, and Hon. Joash Arthur Maangi**.

The Committee observed that the three nominees are still under investigation by the EACC and have not been charged and convicted in a court of law. Article 50 (2)(a) of the Constitution provides that every accused person has the right to be presumed innocent until the contrary is proved. Therefore, it would be premature for the Committee to adjudge the nominees guilty of undisclosed offences when due process has not been carried out.

Further, in fulfilment of the provisions of Article 118 of the Constitution, Section 6(4) of the Public Appointments (Parliamentary Approval) Act, Cap 7F and Standing Order 45(3) of the National Assembly, the Clerk of the National Assembly on **Saturday, 23<sup>rd</sup> March 2024**, notified the public through the print media that the Committee would conduct the approval hearings from **Thursday, 4<sup>th</sup> to Thursday, 11<sup>th</sup> April 2024**. Consequently, the nominees appeared before the Committee as scheduled for approval hearings on their suitability or otherwise for appointment.

Pursuant to Section 6(7) & (8) and Section 7 of the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Committee observed that twenty-five (25) out of the twenty-six (26) nominees that appeared before it met the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the positions to which they had been nominated; and had the requisite abilities, academic qualifications and professional experience to be approved for

appointment as High Commissioners, Ambassadors, Permanent Representatives and Consuls-General in accordance with Article 132(2)(e) of the Constitution.

The nominee for Consul-General to Goma, DRC, Mr. Charles Githinji Keiru, demonstrated a considerable lack of knowledge of the expected duties of a Consul-General and the station to which he had been nominated to serve in. The Committee found that the nominee is not suitable to be appointed to serve as Consul-General to Goma, DRC on the grounds that he does not possess the requisite qualities, abilities, knowledge and experience.

Further, the Committee observed that prior to this approval hearings, Consuls-General were not vetted by the National Assembly. There is need to henceforth have Consuls-General undergoing approval hearings, pursuant to Article 132 (2) of the Constitution, after their nomination by the appointing authority. Further, there is need to have the serving Consuls-General recalled for vetting and approval by the National Assembly.

Having conducted the approval hearings pursuant to Article 132(2)(e) of the Constitution; Sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, Cap 7F; Section 20(2) of the Foreign Service Act, Cap 185E and Standing Order 216(5)(f) of the National Assembly, **the Committee recommends that the House:**

**A) APPROVES the appointment of:**

- 1) Ms. Catherine Kirumba Karemu, as the High Commissioner, London, UK;
- 2) Hon. Joash Arthur Maangi, as the High Commissioner, Kampala, Uganda;
- 3) Hon. Lilian Tomitom, as the High Commissioner, Lusaka, Zambia;
- 4) Ms. Caroline Kamende Daudi, as the High Commissioner, Ottawa, Canada;
- 5) Lt. Gen. Peter Mbogo Njiru, as the High Commissioner, Islamabad, Pakistan;
- 6) Hon. Fred Outa, as the Ambassador, Cairo, Egypt;
- 7) Prof. Anne Kisaka Nangulu, as the Ambassador, Dakar, Senegal;
- 8) Mr. Timothy Kaluma Mcharo, as the Ambassador, Algiers, Algeria;
- 9) Hon. Christopher Andrew Lang'at, as the Ambassador, Abidjan, Cote d'Ivoire;
- 10) Ms. Jessica Muthoni Gakinya, as the Ambassador, Rabat, Morocco;
- 11) Hon. Halima Yussuf Mucheke, as the Ambassador, The Hague, Netherlands;
- 12) Mr. David Kiplagat Kerich, as the Ambassador, Washington DC, USA;
- 13) Ms. Everlyne Mwenda Karisa, as the Ambassador, Havana, Cuba;
- 14) Dr. Peter Mutuku Mathuki, as the Ambassador, Moscow, Russia;
- 15) Amb. Moi Lemoshira, as the Ambassador, Tokyo, Japan;
- 16) Mr. Kenneth Milimo Nganga, as the Ambassador, Abu Dhabi, UAE;
- 17) Lt. Gen. Jonah Mwangi, as the Ambassador, Tehran, Iran;
- 18) Mr. Abdi Aden Korio, as the Ambassador, Muscat, Oman;
- 19) Ms. Gertrude N, Angote, as the Permanent Representative, UNEP;
- 20) Ms. Grace Atieno Okara, as the Permanent Representative, UN HABITAT;
- 21) Dr. Fancy Too, as the Ambassador/Permanent Representative, Geneva, Switzerland;
- 22) Mr. Ekitale Erastus Lokaale, as the Permanent Representative, UN, New York, USA;
- 23) Mr. Ezra Chiloba, as the Consul-General, Los Angeles, USA;
- 24) Mr. Aden Mohamud Mohamed, as the Consul-General, Jeddah, Saudi Arabia; and
- 25) Mr. David Iboko Lokemer, as the Consul-General, Dubai, UAE.

**B) REJECTS the appointment of Mr. Charles Githinji Keiru as the Consul-General, Goma, DRC.**

**C) RESOLVES that henceforth, Consuls-General should undergo vetting after their nomination by the appointing authority and that the appointing authority recalls the serving Consuls-General not vetted for vetting and approval by the National Assembly.**

## **1.0 PREFACE**

### **1.1 Introduction**

1. Pursuant to Article 132(2)(e) of the Constitution as read with Sections 20(2) and 22(2) (a) of the Foreign Service Act, Cap 185E, His Excellency the President, through the Head of the Public Service and via a letter dated 21<sup>st</sup> March, 2024, forwarded to the Speaker of the National Assembly names of twenty-seven (27) persons nominated for approval by the House for appointment as High Commissioners, Ambassadors, Permanent Representatives, and Consuls-General.
2. Article 124(4)(a) of the Constitution provides that when a House of Parliament considers any appointment for which its approval is required under the Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House.
3. This report details the proceedings of the Committee during the approval hearings of twenty-seven (27) persons nominated for appointment as High Commissioners, Ambassadors, Permanent Representatives, and Consuls-General. The purpose of the approval hearing was to ascertain the suitability of the nominees to discharge the responsibilities of the offices to which they had been nominated.

### **1.2 Establishment and Mandate of the Committee**

3. The Departmental Committee on Defence Intelligence and Foreign Relations is one of the Departmental Committees of the National Assembly established under Standing Order 216 whose mandates, pursuant to the Standing Order 216 (5) includes, among others, *to vet and report on all appointments where the Constitution or any other law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments).*

### **1.3 Committee Subjects**

4. The subject matter of the Committee is stated in the Second Schedule of the National Assembly Standing Orders and includes, among others, *foreign relations, diplomatic and consular services, and international relations.*
5. In executing its mandate, the Committee oversees the following government Ministries, Departments, and Agencies (MDAs):
  - a) The Ministry of Foreign and Diaspora Affairs;
  - b) The Ministry of Defence;
  - c) The State Department for East African Community Affairs (EAC); and
  - d) The National Intelligence Service (NIS).

#### 1.4 Committee Membership

6. The Committee was constituted by the House on **27<sup>th</sup> October 2022** and comprises the following Members:

##### **Chairperson**

**Hon. Koech Nelson, M.P.**

Belgut Constituency

**UDA Party**

##### **Vice-Chairperson**

**Hon. Maj. (Rtd.) Sheikh Abdullahi Bashir, M.P.**

Mandera North Constituency

**UDM Party**

##### **Members**

Hon. Wanjira Martha Wangari, M.P.

Gilgil Constituency

**UDA Party**

Hon. Joshua Kandie, M.P.

Baringo Central Constituency

**UDA Party**

Hon. Hassan Abdi Yusuf, M.P.

Kamkunji Constituency

**Jubilee Party**

Hon. Kwenya Thuku Zachary, M.P.

Kinangop Constituency

**Jubilee Party**

Hon. Odhiambo Millie G. Akoth, M.P.

Suba North Constituency

**ODM Party**

Hon. Logova Sloya Clement, M.P.

Sabatia Constituency

**UDA Party**

Hon. Kanchory Elijah Memusi, M.P.

Kajiado Central Constituency

**ODM Party**

Hon. Ikana Fredrick Lusuli, M.P.

Shinyalu Constituency

**ANC Party**

Hon. (Dr.) Kasalu Irene Muthoni, MP

Kitui County

**WDM-K**

Hon. Mohamed A. Hussein, M.P.

Lagdera Constituency

**ODM Party**

Hon. Kirima Moses Nguchine, M.P.

Imenti Central Constituency

**UDA Party**

Hon. Teresia Wanjiru Mwangi, M.P.

Nominated Member

**UDA Party**

Hon. Luyai Caleb Amisi, M.P.

Saboti Constituency

**ODM Party**

## 1.5 Committee Secretariat

7. The Committee Secretariat comprises the following technical staff:

Mr. Dennis Mogare Ogechi  
**First Clerk Assistant/Head of Secretariat**

Mr. Lenny Muchangi  
**Legal Counsel II**

Mr. Bernard Njeru  
**Clerk Assistant III**

Mr. Salat Ali  
**Principal Serjeant-at-Arms**

Mr. Edwin Machuki  
**Fiscal Analyst III**

Ms. Noelle Chelagat  
**Media Relations Officer I**

Mr. John Ng'ang'a  
**Audio Recording Officer**

Mr. Daniel Ominde  
**Research Officer III**

Ms. Vivienne Ogega  
**Research Officer III**

Ms. Faith Malala  
**Public Communications Officer III**

## 2.0 BACKGROUND

### 2.1 The Office of High Commissioner/Ambassador/Permanent Representative/Consul-General

8. The Office of High Commissioner, Ambassador, Permanent Representative and Consul-General is an office under the Ministry of Foreign and Diaspora Affairs according to Executive Order No. 2 of 2023.
9. The duties of the office (Head of a Mission), pursuant to Section 21 of the Foreign Service Act Cap 185E, are to:
  - (a) actively pursue the foreign policy objective of the Republic in the host country;
  - (b) act as the personal representative of the Head of State in the host country;
  - (c) act as an official representative of the Republic at official functions in the host country;
  - (d) be responsible for the management and administration of the Mission and all members of the Foreign Service located at the Mission, including the locally engaged staff of the Mission; and
  - (e) be accountable for any expenditure of the Mission and ensure that the budget of the Mission is administered in accordance with the Public Finance Management Act, Cap 412A and all other applicable laws and regulations.
10. On appointment, Article 132(2)(e) of the Constitution provides that *the President shall nominate and, with the approval of the National Assembly, appoint and may dismiss high commissioners, ambassadors and diplomatic and consular representatives*. Section 20 of the Foreign Service Act, Cap 185E, reaffirms these constitutional provisions, designating the Office of a high commissioner, ambassador, diplomatic, or consular representative as a State office as per Article 260 of the Constitution.
11. Additionally, Section 20(2) of the Act provides that in accordance with Article 132(2)(e) of the Constitution, the President shall nominate and, subject to approval by the National Assembly, appoint high commissioners, ambassadors, and diplomatic or consular representatives. Furthermore, Section 20(3) of the Act mandates that a nomination under subsection (2) should ensure a fair balance between career diplomats and other appointees, as well as represent the gender, regional, and other diversities of the Kenyan populace. Any individual nominated for appointment under subsection (2) must be a Kenyan citizen and possess reputable character and standing.

### 2.2 Notification of Nominations

12. Pursuant to Article 132(2)(e) of the Constitution as read with Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, Cap 7, His Excellency the President, through the Head of the Public Service, forwarded to the Speaker of the National Assembly a letter dated **21<sup>st</sup> March, 2024**, referenced **EOP/CAB.26/4/VOL.III/(120)** (*Annexure 1*), submitting the names and curricula vitae of the following twenty-seven (27) persons nominated for appointment as High Commissioners, Ambassadors, Permanent Representatives, or Consuls-General:

#### High Commissioners

- 1) Ms. Catherine Kirumba Karemu, London, United Kingdom;
- 2) Hon. Joash Arthur Maangi, Kampala, Uganda;
- 3) Hon. Lilian Tomitom, Lusaka, Zambia;
- 4) Hon. Vincent Mogaka Kemosi, Accra, Ghana;
- 5) Ms. Caroline Kamende Daudi, Ottawa, Canada; and
- 6) Lt. Gen. Peter Mbogo Njiru, Islamabad, Pakistan.

### **Ambassadors**

- 7) Hon. Fred Outa, Cairo, Egypt;
- 8) Prof. Anne Kisaka Nangulu, Dakar, Senegal;
- 9) Mr. Timothy Kaluma Mcharo, Algiers, Algeria;
- 10) Hon. Christopher Andrew Lang'at, Abidjan, Cote d'Ivoire;
- 11) Ms. Jessica Muthoni Gakinya, Rabat, Morocco;
- 12) Hon. Halima Yussuf Mucheke, The Hague, Netherlands;
- 13) Mr. David Kiplagat Kerich, Washington DC, USA;
- 14) Ms. Everlyne Mwenda Karisa, Havana, Cuba;
- 15) Dr. Peter Mutuku Mathuki, Moscow, Russia;
- 16) Amb. Moi Lemoshira, Tokyo, Japan;
- 17) Mr. Kenneth Milimo Nganga, Abu Dhabi, UAE;
- 18) Lt. Gen. Jonah Mwangi, Tehran, Iran; and
- 19) Mr. Abdi Aden Korio, Muscat, Oman.

### **Permanent Representatives**

- 20) Ms. Gertrude N, Angote, United Nations Environment Programme (UNEP);
- 21) Ms. Grace Atieno Okara, United Nations HABITAT;
- 22) Dr. Fancy Too, Ambassador/Permanent Representative, Geneva, Switzerland; and
- 23) Mr. Ekitale Erastus Lokaale, United Nations, New York, USA.

### **Consuls-General**

- 24) Mr. Ezra Chiloba, Los Angeles, USA;
- 25) Mr. Charles Githinji Keiru, Goma, DRC;
- 26) Mr. Aden Mohamud Mohamed, Jeddah, Saudi Arabia; and
- 27) Mr. David Iboko Lokemer, Dubai, UAE.

### **2.3 Notification to the House and Referral to the Committee**

13. Pursuant to the provisions of Standing Order 42(1) of the National Assembly, the Speaker, through a Communication dated Thursday, 21<sup>st</sup> March 2024, informed the House of the President's Message (*Annexure 2*) on nomination of twenty-seven (27) persons for approval for appointment to the offices of High Commissioners, Ambassadors, Permanent Representatives, and Consuls-General for approval by the National Assembly.
14. Pursuant to Section 8(1) of the Public Appointments (Parliamentary Approval) Act, Cap 7F and Standing Order 216(5)(f) as read with the Second Schedule of the Standing Orders of the National Assembly, the names and curricula vitae of the nominees were referred to the Departmental Committee on Defence, Intelligence and Foreign Relations for approval hearings, as required under Article 124(4)(a) of the Constitution, and reporting to the House on or before Tuesday 16<sup>th</sup> April 2024.

### **2.4 Notification to the Public**

15. Article 118 of the Constitution provides that Parliament shall facilitate public participation and involvement in the legislative business and other business of Parliament and its Committees. Further, Section 6(4) of the Public Appointments (Parliamentary Approval) Act, Cap 7F provides that the Clerk shall notify the public of the time and place for holding approval hearings at least seven days prior to the hearings.
16. Further, Section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap 7F provides that *any person may, prior to the approval hearings and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated.*

17. Pursuant to Article 118 of the Constitution as read with Section 6(9) of Public Appointments (Parliamentary Approval) Act, Cap 7F, the Clerk of the National Assembly placed an advertisement in the print media on **Saturday, 23<sup>rd</sup> March 2024** (*Annexure 3*) inviting the public to submit memoranda by way of written statement on oath (affidavit) on the suitability or otherwise of the nominees by **Tuesday, 2<sup>nd</sup> April 2024** at 5.00 pm.
18. Further, through the same advertisement and pursuant to Article 118 of the Constitution, Section 6(4) of the Public Appointments (Parliamentary Approval) Act, Cap 7F and Standing Order 45(3) of the National Assembly, the Clerk of the National Assembly notified the general public that the approval hearings of the nominees would be conducted from **4<sup>th</sup> to 11<sup>th</sup> April, 2024** in the **Mini-Chamber, County Hall, Parliament Buildings from 9.00 a.m.**

## 2.5 Notification to the Nominees

19. On **Monday, 25<sup>th</sup> March 2024**, the Clerk of the National Assembly invited the nominees through letters dated **25<sup>th</sup> March 2024** (*Annexure 4*) and through an advertisement in the print media on **Saturday, 23<sup>rd</sup> March 2024** (*Annexure 3*), for the approval hearings in accordance with Section 6(3) of the Public Appointments (Parliamentary Approval) Act, Cap 7F.

## 2.6 Clearance and Compliance Requirements

20. On **Friday, 22<sup>nd</sup> March 2024**, the Clerk of the National Assembly wrote to the EACC, KRA, DCI, HELB and ORPP (*Annexure 5*) requesting for reports with respect to the nominees on ethics and integrity, tax compliance, criminal records, higher education loan repayments and political party affiliations.
21. On ethics and integrity, the EACC through a letter **Ref. No. EACC.7/10/5 VOL. XXVII (70)** dated **28<sup>th</sup> March 2024**, (*Annexure 6*) stated that it had not undertaken any investigations pursuant to its mandate against twenty-four (24) of the nominees, or recommended the prosecution of any of them. However, the Commission indicated that it had adverse reports against **Mr. David Kiplangat Kerich, Mr. Ekitela Erastus Lokaale and Hon. Joash Arthur Maangi**.
22. On **Mr. David Kiplangat Kerich** of **ID No. 9677187**, the Commission stated that the nominee is adversely mentioned in a matter under investigation involving recruitment irregularities in the Baringo County Assembly Service Board.
23. On **Mr. Ekitela Erastus Lokaale** of **ID No. 20685307**, the Commission noted that the nominee is adversely mentioned in a matter under investigations involving alleged embezzlement of car and mortgage funds in Turkana County Assembly.
24. On **Hon. Joash Arthur Maangi** of **ID No. 9110023**, the Commission stated that a recommendation to charge the nominee and other persons was made in a matter relating to NHC Housing Project to the DPP. However, the DPP returned the file to EACC for further investigations.
25. The KRA, through a letter **Ref. No. KRA/5/1002/5 (10556)**, dated **3<sup>rd</sup> April, 2024**, (*Annexure 6*), confirmed that all the twenty-seven (27) nominees were tax compliant.
26. The DCI, through letters **Ref. No. DCI/CRO/SEC/6/7/2/A/VOL.XIV/80**, dated **3<sup>rd</sup> April 2024** and **DCI/CRO/SEC/6/7/2/A/VOL.XIV/89**, dated **9<sup>th</sup> April 2024** (*Annexure 6*), stated that all nominees, except Hon. Christopher Andrew Lang'at (who hadn't applied for clearance) had applied for and been genuinely issued with Police Clearance Certificate. Further, the DCI indicated that at the time of issuance of the police clearance certificates, there were negative results in both the nominal index and criminal data base of the DCI. However, Hon. Christopher Andrew Lang'at later presented a Police Clearance Certificate **Ref. No. PCC-OLTO5576** (*Annexure 6*).



27. The HELB, through a letter **Ref. No. HELB/RR/112009/V/296** dated **28<sup>th</sup> March, 2024** (*Annexure 6*), stated that all nominees were compliant.
28. The ORPP, through letters **Ref. No. RPP/ORG/34 Vol. VI (59)** dated **27<sup>th</sup> March 2024** and **Ref. No. RPP/ORG/34 Vol. VI (61)** dated **2<sup>nd</sup> April 2024** (*Annexure 6*) indicated that the nominees were not officials of any registered political party.

## **2.7 Issues for Consideration during the Approval Hearings**

29. In conducting the approval hearings, the Committee was guided by Section 6(7) and (8) of the Public Appointments (Parliamentary Approval) Act, Cap 7F which provides that:
- (7) An approval hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background.*
- (8) The criteria specified in the Schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate.*
30. Additionally, Section 7 of the Act provides that the issues for consideration by the relevant House of Parliament in relation to any nomination shall be:
- (a) the procedure used to arrive at the nominee;*
- (b) any constitutional or statutory requirements relating to the office in question; and*
- (c) the suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which nomination is being made.*

### **(a) Procedure for Nomination**

31. Article 132 (2)(e) of the Constitution confers upon the President the power to nominate and, with the approval of the National Assembly, appoint high commissioners, ambassadors and diplomatic and consular representatives.
32. Section 5(1) of the Public Appointments (Parliamentary Approval) Act, Cap 7F further requires the appointing authority, upon nominating a person for appointment, to notify the relevant House of Parliament.
33. In this regard, pursuant to Article 132(2)(e) of the Constitution and Section 5(1) of the Public Appointments (Parliamentary Approval) Act, Cap 7F, the President notified the National Assembly of the nomination of twenty-seven (27) persons for appointment to the offices of High Commissioners, Ambassadors, Permanent Representatives and Consuls-General.

### **(b) Constitutional and Statutory Requirements**

34. In addition, the Constitution and various statutes guide on appointment of persons to public office. In determining the suitability of the nominees, the Committee was guided by the provisions discussed hereunder.
35. The provisions on leadership and integrity as outlined in Chapter Six of the Constitution. In particular, Article 73(2) of the Constitution provides that the guiding principles of leadership and integrity include:
- (a) selection on the basis of personal integrity, competence and suitability, or election in free and fair elections;
- (b) objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favouritism, other improper motives or corrupt practices;
- (c) selfless service based solely on the public interest, demonstrated by —
- (i) honesty in the execution of public duties; and
- (ii) the declaration of any personal interest that may conflict with public duties;
- (d) accountability to the public for decisions and actions; and
- (e) discipline and commitment in service to the people.

36. Furthermore, Article 75 of the Constitution requires a State Officer, whether in public or private life to behave in a manner that avoids conflict between personal interest and public official duties. It further prohibits a State Officer who has been dismissed or otherwise removed from office from holding any other State Office.
37. Regarding the activities of State Officers, Article 77 of the Constitution prohibits a full time State Officer from participating in any other gainful employment, or holding office in a political party.
38. Further, Article 78 of the Constitution disqualifies persons who are not Kenyan citizens from appointment as State Officers. Equally, a State Officer is barred from holding dual citizenship.
39. In addition, the Committee considered Section 10 of the Leadership and Integrity Act, Cap 185C which provides that:

*A State officer shall, to the best of their ability—*

- (a) carry out the duties of the office efficiently and honestly;*
- (b) carry out the duties in a transparent and accountable manner;*
- (c) keep accurate records and documents relating to the functions of the office; and*
- (d) report truthfully on all matters of the organization which they represent.*

40. Further, Section 20 of the Foreign Service Act, Cap 185E provides that:
  - (1) The Office of a high commissioner, ambassador, diplomatic or consular representative shall be a State office for purposes of Article 260 of the Constitution.*
  - (2) Pursuant to Article 132 (2) (e) of the Constitution, the President shall nominate and, subject to the approval of the National Assembly, appoint high commissioners, ambassadors and diplomatic or consular representatives.*
  - (3) A nomination under sub section (2) shall reflect—*
    - (a) a fair balance between career diplomats and other appointees; and*
    - (b) the gender, regional and other diversities of the people of Kenya.*
  - (4) A person nominated for appointment under subsection (2) shall be—*
    - (a) a citizen of Kenya; and*
    - (b) of a reputable character and standing.*

**(c) Suitability of the nominees for the proposed appointments having regard to whether the nominees' abilities, experience and qualities meet the needs of the body to which the nomination is being made**

41. The nominees' suitability to hold the offices they have been nominated to was assessed through a scrutiny of their academic credentials, professional training and experience, personal integrity, background as well as their performance during the approval hearings conducted between **4<sup>th</sup> to 11<sup>th</sup> April, 2024**.

**2.8 Memoranda from Members of the Public in respect of the Nominees**

42. The Clerk of the National Assembly placed an advertisement in the print media on **Saturday, 23<sup>rd</sup> March 2024** (*Annexure 3*) inviting the public to submit memoranda by way of written statements on oath (affidavit) on the suitability or otherwise of the nominees in conformity with Section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap 7F.
43. In this regard, by **Tuesday 2<sup>nd</sup> April, 2023 at 5.00 p.m.** the Committee had received one memorandum from Mr. John Katithi Mueke expressing his support for the nomination of Ms. Carolyne Kamende Daudi as the High Commissioner of Kenya to Ottawa, Canada (*Annexure 8*).

### 3.0 APPROVAL HEARINGS OF THE NOMINEES

44. On Thursday, 4<sup>th</sup> April 2024, the Committee held a sitting to deliberate on the approval hearings and noted the following:
- (i) THAT, Hon. Vincent Kemosi Mogaka, had not submitted his duly filled questionnaire in accordance with Section 6(8) of the Public Appointments (Parliamentary Approval) Act, Cap 7F by the set deadline.
  - (ii) THAT, the Committee would proceed with the approval hearings from 4<sup>th</sup> to 11<sup>th</sup> April, 2024; and
  - (iii) THAT, the Committee would examine the nominees against the criteria set out in Section 7 of the Public Appointments (Parliamentary Approval) Act, Cap 7F –
    - (a) Academic qualifications;
    - (b) Employment record;
    - (c) Professional affiliations;
    - (d) Potential conflict of interest;
    - (e) Knowledge of the relevant subject;
    - (f) Overall suitability for the position;
    - (g) Integrity;
    - (h) Vision and leadership; and
    - (i) Expectations and key priorities.
45. Hon. Vincent Kemosi Mogaka, nominee for High Commissioner to Accra, Ghana, notified the Clerk of the National Assembly of his withdrawal from the approval process pursuant to Section 6(10) of the Public Appointments (Parliamentary Approvals) Act, Cap 7F. Consequently, his nomination lapsed. The remaining twenty-six (26) nominees appeared before the Committee from Thursday, 4<sup>th</sup> to Thursday, 11<sup>th</sup> April 2024. The proceedings of the appearances are recorded hereunder:

#### 3.1 Ms. Catherine Kirumba Karemu - Nominee for High Commissioner to London, UK

46. Ms. Catherine Kirumba Karemu appeared before the Committee on Thursday, 4<sup>th</sup> April 2024 at 9.00 am and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

##### *Citizenship, Date and Place of Birth*

47. The nominee is a Kenyan citizen of ID Number 9696940 and was born in 1969 in Meru County, Kenya. She confirmed that she does not hold dual citizenship.

##### *Academic and Professional Qualifications*

48. The nominee holds a Master's degree in Philosophy from the University of Cambridge-UK, a Master's degree in Business Administration from the University of Nairobi, and a Bachelor's degree of Commerce in Business Administration from Kenyatta University.

##### *Employment Record and Work Experience*

49. The nominee is the Technical Advisor in Human Resource Management at the Ministry of Public Service, Gender, Senior Citizen Affairs, and Special Programmes. She has also served as a Consultant at Deloitte and Pricewaterhouse Coopers, Regional Human Resource Manager at Deloitte and an Associate Director of Human Resources.

##### *Honours and Awards*

50. The nominee submitted that she was recognised as the best Bachelor of Commerce student at Kenyatta University in 1991. She further submitted that she earned a scholarship to pursue the MBA Programme at the University of Nairobi from 1991 to 1993. Additionally, she stated that

she was recognised as the best MBA student by the Marketing Society of Kenya in 1994. She also submitted that she earned a scholarship to pursue a Master of Philosophy from the ODA.

***Professional Association and Memberships***

51. The nominee submitted that she is a member of the International Coach Federation and the IHRM.

***Public Office, Political Activities and Affiliations***

52. The nominee stated that she is not affiliated with any political party or involved in political activities.

***Income and Net worth***

53. The nominee estimated her net worth to be KES 250 million, with the sources of income being salary and investments.

***Potential Conflict of Interest***

54. The nominee declared that she does not have any persons or matters that would present a potential conflict of interest. She further stated that should any conflict of interest arise, she would declare the interest in writing to the appointing authority in accordance with the law.

***Pro-bono and Charity Work***

55. The nominee submitted that she is involved in various pro-bono and charity works, including pro-bono coaching of multiple clients, serving as a Director at the Institute of Directors and serving as a Deacon and Board Member at CITAM Ministries.

***Integrity***

56. The nominee submitted that she has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. She also stated that she has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. She informed the Committee that she is fully compliant with her tax obligations to the State. Furthermore, the nominee submitted that she has neither been charged in any court of law nor adversely mentioned in an investigatory report of Parliament or any other commission of inquiry in the last three years.

**3.1.1 Oral Submissions**

57. To evaluate the nominee's overall suitability for the position, the Committee posed questions to the nominee and she responded as recorded hereunder:

***On limited experience in diplomatic/foreign affairs***

58. The nominee stated that she may not have practical experience in diplomatic affairs but she is competent as her previous work involved interactions in different countries. She expressed confidence that the skills acquired during the interactions would be fundamental in her role as High Commissioner.

***On how to strengthen economic ties with the UK considering its investment of over 2 billion pounds in Kenya***

59. The nominee noted that most products exported from Kenya to the UK are in their raw form. She articulated her intention to prioritize value addition to these goods prior to exportation to the UK. This strategic approach, she contended, would foster heightened investments, bolster employment opportunities and contribute to increased foreign exchange reserves for Kenya, in line with the tenets of BETA.

***On the banning of miraa in the UK despite its reclassification as a non-drug substance***

60. The nominee acknowledged that the primary hurdle of *miraa* being designated as a drug had been surmounted, attributing its current ban primarily to littering. She affirmed her intent to address this matter by encouraging value addition.

***On the diminishing number of tourists from the UK and the strategies she intends to deploy to rejuvenate the tourism sector***

61. The nominee underscored that tourism stands as a cornerstone of mutual prosperity between the two nations, underpinned by prior ratified agreements. Moreover, she highlighted the *UK's International Development Strategy*, which reconsiders the country's investments in Africa. Leveraging this strategy, she pledged to advocate for the advancement of the tourism agenda.

***On the matter concerning the Kenyan embassy in the UK and the High Commissioner's residence being rented premises, along with the potential to acquire property for the same purpose***

62. The nominee acknowledged the existence of a rent-to-buy arrangement and pledged to oversee transparency to curb corruption in the acquisition of the High Commission's chancery and residence during her tenure.

***On Kenyan students being sent to the UK for educational pursuits and the potential partnerships to enhance education standards***

63. The nominee highlighted ample opportunities for collaboration between Kenya and the UK in education. She underscored her commitment to facilitate the exchange of expertise and resources between the two nations to enhance education standards.

***On strategies to promote meat exports to the UK***

64. The nominee expressed her intention to explore avenues for reviving meat exportation. She highlighted her plan to leverage the *UK's International Development Strategy*, which focuses on UK investments in Africa, to revitalise meat exports as seen in previous years.

***On the compensation of Mau Mau families affected by the colonial government***

65. The nominee assured the Committee that there are active discussions between Mau Mau families and the UK Government. She affirmed her commitment to utilizing her office, if nominated, to facilitate the discussions without undue interference.

***On the alleged murder of Agnes Wanjiru attributed to BATUK soldiers***

66. The nominee committed to assess the status of the matter and collaborate with the Ministry of Defence and relevant agencies in the UK to address the matter.

***On difficulty in obtaining UK visas***

67. The nominee stated that, if approved, she would employ negotiation and advocacy strategies to address the issue. Furthermore, she pledged to streamline bureaucracy to facilitate smoother business operations between the two countries.

**3.1.2 Committee's determination on the Suitability of the Nominee to hold office**

68. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding her suitability for appointment as High Commissioner to London, UK that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since she is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee, being a holder of Master's degrees in Philosophy and in Business Administration and a Bachelor of Commerce in Business Administration, has the requisite knowledge to foster trade relations between Kenya and the UK. Furthermore, having studied in the UK, she understands the socio-political and economic landscape of the country.
- (3) Having worked in two of the "Accounting Big Four" firms, Deloitte East Africa and Pricewaterhouse Coopers, the nominee has significant experience in both financial and international affairs. The nominee therefore possesses necessary skills to serve as an accounting officer in the Kenyan High Commission, UK.

- (4) The nominee, having obtained clearance from the EACC, KRA, DCI, ORPP and HELB, satisfies the requirements of Chapter Six of the Constitution.
- (5) The nominee demonstrated an in-depth understanding of topical, administrative, and technical matters related to the responsibilities of a Head of Mission. Consequently, she possesses the necessary abilities and qualifications to effectively serve as Kenya's High Commissioner to London, UK.

### **3.2 Hon. Joash Arthur Maangi - Nominee for High Commissioner to Kampala, Uganda**

69. Hon. Joash Arthur Maangi appeared before the Committee on Thursday, 4<sup>th</sup> April 2024 at 10.30 am and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the National Assembly Standing Orders. The Committee noted the following:

#### ***Citizenship, Date and Place of Birth***

70. The nominee is a Kenyan Citizen of ID number 9110023 and was born in 1968 in Kisii County. He confirmed that he does not hold dual citizenship.

#### ***Academic and Professional Qualifications***

71. He holds a Bachelor of Laws from the University of Nairobi, a Post Graduate Diploma in Law from the KSL and a Juris Doctor from the William Mitchell College of Law, Melbourne, USA.

#### ***Employment Record and Work Experience***

72. The nominee is serving as a Consultant at Migos Ogamba and Waudu Advocates. Previously, he was a Managing Partner at Maangi and Company Advocates; a Staffing & Recruitment Supervisor at Extendcare Corporation, USA; Judicial Clerk at State of Minnesota Law Courts, USA; International Coordinator at International Leadership Institute, USA; Staff Attorney at Marcus Jarvis & Associates, USA and H.M Ongeru & Associates; Vice President at Lemna International Inc; and Deputy Governor at Kisii County Government.

#### ***Honours and awards***

73. The nominee was awarded the Moran Burning Spear (MBS) in 2015.

#### ***Professional Association and Memberships***

74. The nominee is a member of the Law Society of Kenya (LSK).

#### ***Public Office, Political Activities and Affiliations***

75. The nominee was affiliated with KANU in 1994, ODM in 2013 and 2017, and the UDA political party in 2022.

#### ***Income and Net worth***

76. The nominee estimated his net worth to be Kshs 690 million with the sources of income being majorly from rental income and transport business.

#### ***Potential Conflict of Interest***

77. The nominee declared that he does not have any persons or matter that would present a potential conflict of interest, and should it arise, he would declare the interest in writing to the appointing authority in accordance with the law.

#### ***Integrity***

78. The nominee stated that he has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also stated that he has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. He informed the Committee that he is fully compliant with tax obligations to the State and has never been charged in any Court of Law in the last three years. He further stated that he has not been adversely mentioned in any investigatory report of Parliament or any other commission of inquiry in the last three years.

### 3.2.1 Oral Submissions

79. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee, and he responded as recorded hereunder:

***On standing aside from the nomination to clear his name from the ongoing EACC investigations***

80. The nominee stated that he does not need to relinquish his nomination and defend himself as he had not been charged or accused. He further stated that the EACC case involves a contract signed in 2010 for the construction of houses in Langata, which was duly done, completed and handed over to the NHC. However, the NHC failed to pay for the services rendered. Consequently, Lemna International Inc, the contractor company with which he is associated as one of the Directors, demanded payment. The NHC was reluctant to pay leading to a court case that proceeded from the High Court to the Court of Appeal, where Lemna International Inc was awarded damages. He clarified that he is neither the Chairperson nor the Managing Director of the Corporation and that if anyone were to be accused of any wrongdoing, it ought to be the Corporation as an independent entity.

81. He further mentioned that the matter underwent litigation and arbitration from the High Court to the Court of Appeal and if EACC were not satisfied with the outcome, the appropriate procedure would be to appeal to the Supreme Court. He concluded that the matter is a witch-hunt which was seen and flagged by the ODPP. He expressed confidence in his status as a good citizen ready to undertake his assignment.

***On taking personal liability for the actions of the Lemna International Inc through lifting of the corporate veil***

82. The nominee stated that lifting the corporate veil is a process that has to be justifiable. He noted that this was a civil dispute between two corporations, Lemna International and NHC; therefore, the person to be sued should have been the Chairman or the Managing Director, but there is currently no justifiable cause. He chose not to proceed as the case is ongoing, stating that the parties mentioned by EACC are still innocent, hence, the ODPP's decision to refer the file back to EACC for further investigations.

***On the border disputes between Kenya and Uganda, and harassment of Kenyan fishermen by Ugandan Authorities***

83. The nominee stated that Uganda is Kenya's good neighbour and a country that Kenya shares the longest border with. He highlighted that Kenya has enjoyed a cordial relationship with Uganda and that it was normal for occasional challenges to arise in the relationship.

84. Regarding the border disputes and the harassment of Kenyan fishermen by Ugandan officers, he noted that Kenya and Uganda have established Joint Ministerial Commissions to address and resolve such matters. He submitted that one of the commissions already in operation is the Joint Commission on International Boundaries, which is responsible for addressing issues at Migingo, Mount Elgon, and Turkana. He expressed confidence in the competence of the Joint Ministerial Commission on International Boundaries, along with the Joint Ministerial Commission on Security, to expedite and resolve boundary issues between Kenya and Uganda.

85. He further submitted that the matter should be left to the Commissions to handle, as it is an ongoing process. Additionally, he mentioned the existence of a Steering Committee on Security that convenes regularly, and he pledged to ensure that he expedites matters through the appropriate channels.

***On regular arrests and mistreatment of Kenyan pastoralists in Mt. Elgon and Siebei area by Ugandan officers***

86. The nominee stated that there is an MoU/Agreement between Kenya and Uganda aimed at improving the lives of the people of Karamoja, Turkana, and West Pokot and establishing a sustainable source of livelihood for them. He noted that Uganda was encouraging the people of Karamoja to transition from pastoralism to alternative lifestyles due to limited land availability. He noted that Uganda was at an advanced stage in promoting this initiative, including the appointment of a Minister responsible for the Karamoja area. The nominee committed to ensuring that Kenya plays its part.

***On protests by Uganda on the denial of the Uganda National Oil Company (UNOC) license to trade in oil in Kenya by EPRA***

87. The nominee stated that Uganda is one of Kenya's most important trading partners. He acknowledged that in 2019, Uganda requested Kenya through EPRA to issue a trading license to Uganda National Oil Corporation (UNOC) for oil trade in Kenya, but their request was denied. Consequently, Uganda lodged an appeal with the East African Court of Justice (EACJ). He noted that the matter is currently under consideration by the EACJ, and that an amicable resolution will be reached.

88. Further, he stated that he had held discussions with officers at the African Desk of the Ministry of Foreign Affairs and learned that at times, reported information may not necessarily be accurate. He noted that Kenya and Uganda were closely collaborating on pipeline and oil and expressed confidence that once the East African pipeline is completed, many of the challenges will be resolved.

***On the inconsistency over his income***

89. The nominee explained that there was a slight increase last year due to a one-off payment he received. He stated that the payment was pending from the company he previously worked with from 2014 to 2022 (7 years). He further clarified that it was a lump sum payment and not an ongoing source of income. Regarding his reported net worth of KES 690 million, he attributed it to the ownership of properties, some of which were not income-generating. For instance, he explained that he owns three homes: one in Kisii, one in Nairobi, and another in Minnesota, USA.

***On the issue of the nominee not being a team player***

90. He stated that he is a team player, acknowledging that the allegation of him not being a team player may relate to reported instances where he encountered challenges with his previous boss, the then Kisii County Governor. He noted that he was one of the few Deputy Governors who experienced relatively fewer issues with their Governors during their tenure. He highlighted the need for the country to address the issue of strained relationships between Governors and their Deputy Governors, which arises from Governors feeling threatened by the emergence of Deputy Governors. He noted that as a pioneer Deputy Governor, proper protocol for relationship dynamics had not been established.

91. The nominee noted that despite the challenges, Kisii County performed commendably in terms of development compared to other counties. He suggested that the perception of him not being a team player may have arisen from the fact that him and his former Governor supported different political formations. Nonetheless, he affirmed that they accomplished significant achievements, to the extent that other counties sought to benchmark in Kisii.

***On IGAD Protocol on Transhumance***

92. The nominee responded that the IGAD Protocol on Transhumance currently involves South Sudan, Uganda, and Kenya, with Tanzania not yet participating. He submitted that the primary objective of the agreement is to halt cross-border conflicts among pastoralist communities that occur when they move to other countries in search of pasture.



93. He further submitted that the aim is to ensure peaceful and unrestricted movement across borders, thereby averting conflicts. He mentioned two ongoing initiatives: firstly, Kenya and Uganda are collaborating to discourage pastoralism due to limited land resources; secondly, there is a cross-border treaty under development aimed at providing sustainable livelihoods for pastoralists in Turkana.

94. He noted that these initiatives are being addressed by the Joint Ministerial Commission in conjunction with the Ministerial Committee on Security, which he views positively. He emphasized that peace is one of the fundamental pillars of foreign policy and that without peace, a country cannot thrive. He expressed his commitment to diligently work towards implementing this pivotal pillar of peace in the region, if approved.

***On having all his referees from one Community***

95. He observed that there was nothing wrong with all his referees belonging to one community, despite having good friends from various backgrounds. He noted that the listed referees come from the same community but hold diverse professions.

***Closing Remarks***

96. The nominee concluded that his professional training as an international lawyer, his extensive work experience in public service, his engagement with the diaspora, as well as his collaborations with other regional and American leaders, render him highly suitable for this position. He emphasized his honesty, results-oriented approach, and readiness to work diligently.

**3.2.2 Committee's determination on the Suitability of the Nominee to hold office**

97. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding his suitability for appointment as High Commissioner to Kampala, Uganda that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee was eligible for appointment to a State Office since he is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee, being a holder of a Juris Doctor, a Postgraduate Diploma in Law and a Bachelor's degree in Law (LLB), has adequate grounding in International Law that will be crucial in performance of the roles of High Commissioner to Uganda.
- (3) Having served in various managerial/administrative roles, both in the public and private sectors, the nominee possesses managerial experience that will be handy in managing both the financial and human resources of a diplomatic mission.
- (4) The nominee obtained clearance from the EACC, KRA, DCI, ORPP and HELB. However, there was a recommendation from EACC to the ODPP to charge the nominee and other persons in a matter relating to the NHC Housing Project. The ODPP returned the file to EACC for further investigations. Therefore, the matter is under investigation by the EACC and the nominee has not been charged and convicted in a court of law. Article 50 (2)(a) of the Constitution provides that every accused person has the right to be presumed innocent until the contrary is proved. Therefore, it would be premature for the Committee to adjudge the nominees guilty of undisclosed offences when due process has not been carried out.
- (5) The nominee demonstrated extensive and impressive knowledge of topical, administrative and technical issues touching on the roles of a Head of Mission. He therefore has the requisite abilities, qualifications and experience to serve as Kenya's High Commissioner to Kampala, Uganda.

### **3.3. Hon. Lilian Tomitom - Nominee for High Commissioner to Lusaka, Zambia**

98. Hon. Lilian Tomitom appeared before the Committee on Thursday, 4<sup>th</sup> April 2024 at 12.00 noon and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

#### ***Citizenship, Date and Place of Birth***

99. The nominee is a Kenyan Citizen of ID Number 22555678 and was born in West Pokot County in 1981. She confirmed that she does not hold dual citizenship.

#### ***Academic and Professional Qualifications***

100. The nominee holds a Bachelor of Education Arts degree (English/Literature) from Moi University.

#### ***Employment Record and Work Experience***

101. The nominee served as a Member of Parliament in the 12th Parliament. Furthermore, she has served as a Senior Administrator at the University of Eldoret and at Moi University; and as an Assistant Administrator at Moi University.

#### ***Published Writings***

102. The nominee has no published writings.

#### ***Public Office, Political Activities and Affiliations***

103. The nominee is not an official of any registered political party. However, she served as the Member of Parliament for West Pokot County between 2017 and 2022.

#### ***Income and Net worth***

104. The nominee estimated her net worth at KES 60 million, citing maize and livestock farming as her primary sources of income.

#### ***Potential Conflict of Interest***

105. The nominee declared that she does not have any persons or matters that would present a potential conflict of interest, and should it arise, she would declare the interest in writing to the appointing authority in accordance with the law.

#### ***Integrity***

106. The nominee declared that she has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. She further declared that she has never been adversely associated with practices that indicate bias, favouritism, or nepotism in the execution of public duties. She informed the Committee that she had fully complied with tax obligations to the State and had never been charged in any Court of Law in the past three years, nor has she been adversely mentioned in any investigatory report of Parliament or any other commission of inquiry in the past three years.

#### **3.3.1 Oral Submissions**

107. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee and she responded as recorded hereunder:

#### ***On the limited business activity between Kenya and Zambia***

108. The nominee declared that she will promote trade by encouraging activities in the fields of technology, agriculture, and tourism. She affirmed that her primary focus will be on promoting agricultural activities to enhance trade prospects. Further, she committed to prioritise the promotion of tourism between the two countries that have a longstanding history of cooperation.

#### ***On whether the nominee was holding the position of a Chief Administrative Secretary***

109. The nominee stated she does not hold that position anymore due to the court case against the position.

***On lacking the relevant diplomatic experience in international relations***

110. The nominee stated that she would familiarize herself with the requirements of the job to ensure the achievement her goals in the role.

***On the possible areas to promote Kenya's trade***

111. The nominee articulated her commitment to aiding Kenya by nurturing bilateral relations between the two nations. She highlighted Kenya's close ties with Zambia, emphasizing their shared history as former British colonies, as well as commonalities such as the education system (CBC) and similar food culture. Additionally, she underscored the importance of collaboration between Kenya and Zambia in areas such as trade, culture, and tourism.

**3.3.2 Committee's determination on the Suitability of the Nominee to hold office**

112. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations on her suitability for appointment as High Commissioner to Lusaka, Zambia that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since she is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee, being a holder of a Bachelor's of Education Arts degree (English/Literature), has the wherewithal to understand and thereby foster diplomatic relations between Kenya and Zambia. Further, having a specialization in English language puts her in good stead to serve in the role since English is the official language in Zambia.
- (3) Having served as a Member of Parliament in the 12<sup>th</sup> Parliament, the nominee has the ability to discern the political nuances in the proposed station and utilize such to foster Kenya's interests. Further, having served as a Senior Administrator of a University, she possesses the ability to manage both the human and financial resources of a diplomatic mission.
- (4) The nominee, having obtained clearance from the EACC, KRA, DCI, ORPP and HELB, satisfies the requirements of Chapter Six of the Constitution.
- (5) The nominee appeared ill prepared for the approval hearing. She consequently demonstrated an average knowledge of topical, administrative, and technical issues pertaining to the roles of a Head of Mission. Therefore, she has average abilities, qualifications, and experience to serve as Kenya's High Commissioner to Lusaka, Zambia.

**3.4 Lt. Gen. Jonah Mwangi – Nominee for Ambassador to Tehran, Iran.**

113. Lt. Gen. Jonah Mwangi appeared before the Committee on Thursday, 4<sup>th</sup> April 2024 at 2.30 pm and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

***Citizenship, Date and Place of Birth***

114. The nominee is a Kenyan Citizen of ID number 3506028 and was born in Nyeri County in 1963. He confirmed that he does not hold dual citizenship.

***Academic and Professional Qualifications***

115. The nominee holds a Bachelor of Arts degree in Peace and Conflict Studies from the Africa Nazarene University, a Diploma in National Security and a Certificate in Strategic Studies both from the United States Army War College.

***Employment Record and Work Experience***

116. The nominee submitted that he has served as the Vice Chief of Defence Forces, KDF; the Vice Chancellor of the National Defence University-Kenya; an Assistant Chief of Defence Forces, KDF; the Chief of Operations, Kenya Army Headquarters among other roles in the KDF over the years.

***Honors and awards***

117. The nominee was awarded the Moran of the Order of the Golden Heart (MGH) and Chief of the Order of the Burning Spear (CBS).

***Professional Association and Memberships***

118. The nominee is not a member of any professional association.

***Published Writings***

119. The nominee submitted that he published “The Soldier’s Legacy (The Kenya Arm at 55: A Steadfast Shield Since 1963 into Posterity)”. However, it was noted that this was a publication of the institution he served in, the Kenya Defence Forces.

***Public Office, Political Activities and Affiliations***

120. The nominee submitted that he has never been an official of any political party.

***Income and Net worth***

121. The nominee submitted that his net worth is approximately KES 150 million and that his sources of income include a salary for services in the Kenya Defence Forces. Furthermore, he indicated that his deferred income and future benefits include pension for his service in the Kenya Defence Forces.

***Potential Conflict of Interest***

122. The nominee declared that he does not have any persons or matter that would present a potential conflict of interest, and should it arise, he would declare the interest in writing to the appointing authority in accordance with the law.

***Pro-bono/Charity Work/Donation to Charity***

123. The nominee indicated that he has not engaged in any pro bono or charity works.

***Integrity***

124. The nominee affirmed that he has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also asserted that he has never been adversely associated with practices indicating bias, favouritism, or nepotism in the discharge of public duties. He informed the Committee that he has fully complied with tax obligations to the State and has not faced any charges in any Court of Law in the last three years, and that he has never been adversely mentioned in any investigatory report of Parliament or any other commission of inquiry in the last three years.

**3.4.1 Oral Submissions**

125. In assessing the nominee’s overall suitability for the position, the Committee posed questions to the nominee, and he responded as recorded hereunder:

***On improving Kenya’s trade relations with Iran***

126. The nominee stated that Kenya exports tea estimated at KES 500 million to Iran, a figure which has increased to approximately KES 4 billion in two years. He remarked that Iran’s geographical location, situated at the centre of countries with robust economies, provides

Kenya with numerous opportunities to leverage, particularly in the education, healthcare, manufacturing, and agriculture sectors. He however noted that the lack of direct flights between Nairobi and Tehran hindered trade. Additionally, he committed to implement measures to facilitate barter trade in case of payment difficulties.

***On medical tourism, no direct flight from Kenya to Iran***

127. The nominee noted that Kenya and Iran have existing bilateral agreements on direct flights between the two countries and that he would look into the best way to actualize.

***On preserving Kenya's relations with other countries deemed to conflict with Iran***

128. The nominee stated that every country has the freedom to pursue its own interests. Therefore, his intention is to examine the convergence of interests among all countries and to maximise those that would not compromise the interests of Kenya's other allies. He further mentioned that Kenya would only act as an observer in cases of conflicting interests.

***On leveraging Iran's nuclear power to supplement Kenya's power production***

129. The nominee indicated that Kenya supports peaceful use of atomic energy and would consider exploring the use of nuclear power to complement its hydropower resources. He further noted that Kenya could cooperate with Iran in the peaceful use of atomic energy.

***On commercial diplomacy in favour of Kenya and harsh sanctions hindering trade***

130. The nominee stated that due to the sanctions on Iran, Kenya and Iran encounter difficulties in transferring funds, and to address this, he proposed the use of barter trade. He added that Kenya may collaborate with the US to alleviate the stringent trade sanctions.

***On Iran being considered a hostile country and how to ease such hostility***

131. He noted that in instances of conflict, people hold different views. Therefore, he said that he would add to the conversation by talking with other countries to seek convergence of opinions.

***On transitioning to diplomacy vis-à-vis his experience from the military***

132. He observed that the transition from a military system to a civilian system would not be difficult, as he is a team player and has been involved in many multi-agency teams handling various issues. Furthermore, he stated that he has worked in the Ministry of Defence, where he collaborated with both military and civilian personnel. Further, he had led various defence teams in negotiating a wide range of issues would undertake his duties through consultation and involvement of other relevant officers with the requisite knowledge of diplomatic issues.

***On not having any background in business versus the responsibilities of the office***

133. The nominee acknowledged that he does not have a business background. However, he noted that the military comprises very diverse professionals and thus, based on his experience during his service at the military, he would be able to navigate the issues relating to the duties of the office. Moreover, he submitted that having held various leadership positions and dealt with complex security issues and key projects on national development, he believed that he had the requisite experience to serve in the office.

**3.4.2 Committee's determination on the Suitability of the Nominee to hold office**

134. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations on his suitability for appointment as Ambassador to Tehran, Iran that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee was eligible for appointment to a State Office since he is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee, being a holder of a Bachelor of Arts in Peace and Conflict Studies, a Diploma in National Security and a Certificate in Strategic Studies, has the requisite

knowledge and abilities to engage in delicate and complex negotiations expected in his proposed station, Tehran, Iran.

- (3) Having served as the Vice Chief of Defence Forces, KDF; the Vice Chancellor of the National Defence University-Kenya; an Assistant Chief of Defence Forces, KDF; the Chief of Operations at Kenya Army Headquarters among other roles in the KDF over the years, the nominee has a wide array of skills, abilities and capabilities that put him in good stead to steer a diplomatic mission.
- (4) The nominee, having obtained clearance from the EACC, KRA, DCI, ORPP and HELB satisfies the requirements of Chapter Six of the Constitution.
- (5) The nominee demonstrated extensive and impressive grasp of knowledge of topical, administrative and technical issues relating to the Office of Ambassador to Tehran, Iran and has the requisite abilities, qualifications and experience to serve in the office.

### **3.5 Ms. Carolyn Kamende Daudi - Nominee for High Commissioner to Ottawa, Canada.**

135. Ms. Carolyn Kamende Daudi, appeared before the Committee on Thursday 4<sup>th</sup> April 2024 at 4.00 pm and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

#### ***Citizenship, Date and Place of Birth***

136. The nominee is a Kenyan Citizen of ID Number 22041467 born in Makueni County, Kenya in 1979. She confirmed that she does not hold dual citizenship.

#### ***Academic and Professional Qualifications***

137. The nominee holds a Bachelor's Degree in Law from the University of Nairobi and a Postgraduate Diploma in Law from the Kenya School of Law.

#### ***Employment Record and Work Experience***

138. The nominee possesses extensive experience in the legal profession. She currently holds the position of Managing Partner at Kamende D.C & Company Advocates. She has also served as an Associate Advocate at Kyalo and Associates Advocates, a legal assistant at the International Criminal Tribunal for Rwanda (ICTR), and as a member of the Independent Electoral and Boundaries Commission (IEBC) Tribunal.

#### ***Honours and awards***

139. The nominee submitted that she was acknowledged for her valuable service to the Law Society of Kenya as a Council Member, representing Nairobi from 2018 to 2020. She was further recognised for her dedicated service to the Law Society of Kenya as Vice President from 2020 to 2022. Further, she was acknowledged as one of the top 100 litigation lawyers in Kenya by Lawyer Africa in June 2023.

#### ***Professional Association and Memberships***

140. The nominee submitted that she is a member of the Law Society of Kenya (LSK), the East Africa Law Society (EALS) and Federation of Women Lawyers (FIDA-Kenya); Chairperson of the African Bar Association (AFBA)-Kenya Chapter; a Country Representative of the African Women Lawyers Association (AWLA); and a Secretary to the Kamba Professional Women Association.

#### ***Published Writings***

141. The nominee presented the IEBC Tribunal report, the Law Society of Kenya (LSK) disciplinary committee judgment, and the sexual harassment policy for the Law Society of Kenya as her notable published writings. However, the publications aren't individual but institutional publications.

### ***Public Office, Political Activities and Affiliations***

142. The nominee stated that she was appointed as a tribunal member of the IEBC Tribunal under Article 251 of the Constitution for a period of three months between December 2022 and February 2023. Additionally, she was elected as Vice-Chair of the IEBC Tribunal. Further, she was appointed as a member of the National Elections Board (NEC) for the Jubilee Party for the 2017 party nominations. In addition, she participated in the 2022 presidential campaign team for the UDA.

### ***Income and Net worth***

143. The nominee estimated her net worth at KES 85 million, with sources of income including honoraria paid by the IEBC Tribunal and legal fees for legal services. She pointed out her deferred income and future benefits as encompassing unpaid legal fees and fee balances in her law firm, Kamende D.C & Company Advocates.

### ***Potential Conflict of Interest***

144. The nominee declared that she does not have any persons or matter that would present a potential conflict of interest, and should it arise, she would declare the interest in writing to the appointing authority in accordance with the law.

### ***Pro-bono/Charity Work/Donation to Charity***

145. The nominee stated that during the COVID-19 pandemic, she initiated a care packages scheme for vulnerable members of the Law Society of Kenya (LSK). Furthermore, as the Vice President of the LSK, she handled several cases of public interest, including the well-known *Kianjakoma brothers*' case and various murder cases where LSK members had been victims, on a pro-bono basis.

### ***Integrity***

146. The nominee affirmed that she has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. She also asserted that she has never been adversely associated with practices indicating bias, favouritism, or nepotism in the discharge of public duties. She informed the Committee that she has fully complied with tax obligations to the State and has not faced any charges in any Court of Law in the last three years, and that she has never been adversely mentioned in any investigatory report of Parliament or any other commission of inquiry in the last three years.

## **3.5.1 Oral Submissions**

147. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee, and she responded as recorded hereunder:

### ***On non-itemization of the legal fees and fee balances due to her law firm***

148. The nominee stated that it was not deliberate to generalise the deferred income and future benefits. She clarified that the fee balances are unascertainable because they have to be taxed by the tax-master, and the dates of payment are determined by the dates of taxation. Additionally, she explained that she could not determine when the taxation period would be complete, hence the necessity to generalise the deferred income and future benefits.

### ***On the importance of diplomatic representation in Canada***

149. The nominee reiterated that Kenya and Canada have enjoyed close bilateral and good relations since 1963. She noted that Canada has supported strategic policies, trade initiatives, financial assistance in peacekeeping activities, and women empowerment initiatives through the Canadian International Development Agency (CIDA). She submitted that if appointed, she would build upon the existing frameworks between Kenya and Canada and identify areas for improvement.

***On the low trade volume between Kenya and Canada, and the potential areas for improvement***

150. The nominee attributed the low exports to Canada to the limited or absent market access for Kenyan goods in Canada. However, she expressed her intention to formulate policies to enhance trade activities and expand trade between the two countries. She committed to employ diplomatic strategies, such as leveraging the existing framework, including the alliance between KEPSA and the Canada-Africa Chamber of Business, in collaboration with the High Commission of Canada in Kenya, to enhance bilateral trade.

***On her work experience, and the possible effects of her political affiliations to the roles of the High Commissioner to Ottawa, Canada***

151. The nominee stated that during her tenure at the Law Society of Kenya, she did not base her decisions on politics. She emphasised that as a State Officer, if approved, she will be serving all Kenyans equally. Further, she stated that her political affiliations will not hinder her from fulfilling her duties and responsibilities.

***On working at FIDA and question on championing for human rights for both Genders***

152. The nominee stated that she serves all members of the society and she will, therefore, champion the welfare of all.

***On limitations imposed on Canadian Visas for students and diaspora workers***

153. The nominee stated that she is aware that it takes 173 days to obtain visas to Canada and proposed to address the issue by engaging the government of Canada. She outlined her plan to utilize existing frameworks to develop policies that can enhance the conditions of diaspora workers and to identify the numerous opportunities Canada offers. Additionally, she committed to identify job vacancies and consult with the government of Canada. To address the problem of student scholarships and visas, she proposed to collaborate with educational institutions and the government of Canada to provide scholarships and timely visas to Kenyan students.

**3.5.2 Committee's determination on the Suitability of the Nominee to hold office**

154. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations on her suitability for appointment as High Commissioner to Ottawa, Canada that:
- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since she is a Kenyan citizen and does not hold dual citizenship.
  - (2) The nominee, being a holder of a Postgraduate Diploma in Law and a Bachelor's degree in Law, has adequate grounding in International Law that will be crucial in performance of the roles of High Commissioner to Ottawa, Canada.
  - (3) The nominee, having extensive experience as a litigation advocate, a Managing Partner in a law firm and an official of a professional association, has the requisite skills and abilities to not only recognize but also to advocate for and secure Kenya's interests in Canada.
  - (4) The nominee meets the requirements of Chapter Six of the Constitution having obtained clearance from the EACC, KRA, DCI, ORPP, and HELB.
  - (5) The Committee noted the nominee's affiliation to the UDA Party but assured the Committee that her political affiliation would not interfere with her duties as High Commissioner. The Committee noted that while the nominee is a member of UDA, she does not hold office in the party as required by Article 77(2) of the Constitution. The Committee further noted that Article 38(1) of the Constitution provides that every citizen is free to make political choices, which includes the right to participate in the activities of a political party.



(6) The nominee demonstrated an impressive grasp of knowledge of topical, administrative and technical issues touching on the Office of High Commissioner to Ottawa, Canada and has the requisite abilities, qualifications and experience to serve in the office.

### **3.6 Lt. Gen. Peter Mbogo Njiru-Nominee for High Commissioner to Islamabad, Pakistan**

155 Lt. Gen. Peter Mbogo Njiru, the nominee for High Commissioner to Islamabad, Pakistan appeared before the Committee on Friday, 5<sup>th</sup> April 2024 at 9.00 am and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

#### ***Citizenship, Date and Place of Birth***

156 The nominee is a Kenyan citizen of ID Number 4250504 and was born in 1963 in Embu County, Kenya. He confirmed that he does not hold dual citizenship.

#### ***Academic and Professional Qualifications***

157 The nominee holds a Master of Arts in International Security and Strategy from the Kings College London, UK; a Diploma in Strategic Studies from the University of Nairobi; and a certificate in International Security and Strategic Leadership Studies from the Royal College of Defence Studies, UK.

#### ***Employment Record and Work Experience***

158 The nominee is the Commander of the Kenya Army. He has served the KDF for the last thirty-nine (39) years in command, training and management of personnel, equipment and resources.

#### ***Public Office, Political Activities and Affiliations***

159 The nominee submitted that he is not affiliated to any political party or activities.

#### ***Income and Net worth***

160 The nominee estimated his net worth to be KES 150 million with the sources of income being salary, rental investments and farming.

#### ***Potential Conflict of Interest***

161 The nominee declared that he does not have any persons or matter that would present a potential conflict of interest. Should it arise, he would declare the interest in writing to the appointing authority in accordance with the law.

#### ***Integrity***

162 The nominee affirmed that he has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also asserted that he has never been adversely associated with practices indicating bias, favouritism, or nepotism in the discharge of public duties. He informed the Committee that he has fully complied with tax obligations to the State and has not faced any charges in any Court of Law in the last three years, and that he has never been adversely mentioned in any investigatory report of Parliament or any other commission of inquiry in the last three years.

### **3.6.1 Oral Submissions**

163 In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee and he responded as recorded hereunder:

#### ***On the balance of trade between Kenya and Pakistan and how to enhance the same***

164 The nominee asserted that Kenya's foreign policy aims to advance commerce. He plans to create more opportunities for Kenya's primary export to Pakistan, tea, by engaging various stakeholders, launching advertisements, and devising strategies to increase tea exports. Additionally, he committed to raise awareness about other products such as hides and skins, fruits, and legumes that are available for export from Kenya to Pakistan.

***On the Pakistani journalist who was assassinated in Kenya***

165. The nominee acknowledged awareness of the matter, stating that the matter is under investigation by competent institutions. He stated his commitment to allowing the investigative authorities to conduct their inquiries, reach conclusions, and take appropriate actions.

***On transitioning from military to civilian role***

166. The nominee stated that he has undergone military socialisation which involves a significant amount of diplomacy when engaging with other countries. He submitted that military personnel are trained to transition to civilian life because it is understood that they will not remain in the military indefinitely.

***On borrowing knowledge on rice production from Pakistan***

167. The nominee stated that he will seek to transfer ideas on areas of research, production and varieties of rice to enhance rice production in Kenya.

***On military collaboration between Kenya and Pakistan***

168. The nominee stated that there are numerous Memoranda of Understanding (MOUs) between Kenya and Pakistan concerning security and peacekeeping. He expressed his intention to leverage these agreements to enhance collaboration in military training and conferences. Additionally, he would promote benchmarking, which will be essential for growth and development in practice.

***On how he obtained a Master's degree without a Bachelor's degree***

169. The nominee stated that his years in service/experience was quantified and through this, he was found legible to transition from a diploma to pursue a Master's degree.

**3.6.2 Committee's determination on the Suitability of the Nominee to hold office**

170. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations on his suitability for appointment as High Commissioner to Islamabad, Pakistan, that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee was eligible for appointment to a State Office since he is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee, being a holder of Master of Arts in International Security and Strategy, a Diploma in Strategic Studies and a certificate in International Security and Strategic Leadership Studies, possesses the requisite knowledge and skills to navigate the delicate diplomatic terrain in Pakistan, a country that possesses nuclear weapons.
- (3) The nominee has served for thirty-nine (39) years in the KDF in command, training and management of personnel, equipment and resources. He therefore has the necessary experience to guide utilization of the human and financial resources at the High Commission to secure Kenya's interests in Pakistan.
- (4) The nominee, having obtained clearance from the EACC, KRA, DCI, ORPP and HELB, satisfies the requirements of Chapter Six of the Constitution.
- (5) The nominee demonstrated a fair grasp of knowledge of topical, administrative and technical issues touching on the Office of High Commissioner to Islamabad, Pakistan and has the requisite abilities, qualifications and experience to serve in the office.

**3.7 Hon. Fredrick Otieno Outa-Nominee for Ambassador to Cairo, Egypt**

171. Hon. Fredrick Otieno Outa appeared before the Committee on Friday, 5<sup>th</sup> April 2024 at 10.30 am and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

***Citizenship, Date and Place of Birth***

172. The nominee is a Kenyan Citizen of ID number 6611121 and was born in 1964 in Kisumu County, Kenya. He confirmed that he does not hold dual citizenship.

***Academic and Professional Qualifications***

173. The nominee holds a Master of Arts in Intercultural Studies from Biola University, USA and a Bachelor of Science in Health Management from the City University of New York, USA.

***Employment Record and Work Experience***

174. The nominee is the Chairman of Spurgeon Academy in Kibera and Vice President for the African Parliamentary Forum on Population and Development (APFPD). He has previously served as a Director at Partnership for the Homeless, Inc in New York, USA; Associate Minister at Brown Memorial Baptist Church in New York; Seminarian Internship at New Song Church in California; and Chairman at West Kamo Scheme Cooperative Society Limited. He joined politics in 2008, serving as the Member of the National Assembly for Nyando Constituency and later the Senator for Kisumu County.

***Honours and awards***

175. The nominee was awarded the Chief of the Order of the Burning Spear (CBS) in December 2021 and Volunteer Appreciation award, Partnership of the Homeless Inc., New York, USA in May 1997.

***Professional Association and Memberships***

176. The nominee is a life member of the Red Cross Society and founding member of the Fred Outa Foundation.

***Public Office, Political Activities and Affiliations***

177. The nominee submitted that he served as the Member for National Assembly for Nyando Constituency (2008 to 2017) and Senator for Kisumu County (2017 to 2022).

***Income and Net worth***

178. The nominee estimated his net worth to be approximately KES 280 million, with income derived from rice farming and livestock farming. Furthermore, the nominee indicated that his deferred income and future benefits include pensions and proceeds from farming.

***Potential Conflict of Interest***

179. The nominee declared that he does not have any persons or matter that would present a potential conflict of interest, and should it arise, he would declare the interest in writing to the appointing authority in accordance with the law.

***Pro-bono/Charity Work/Donation to Charity***

180. The nominee stated that he has over 19 years of dedicated service to charity work. He has devoted his time to improving the lives of vulnerable people in society. The Fred Outa Foundation supports and operates sponsorship programs in both primary and secondary schools.

***Integrity***

181. The nominee affirmed that he has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also asserted that he has never been adversely associated with practices indicating bias, favouritism, or nepotism in the discharge of public duties. He informed the Committee that he has fully complied with tax obligations to the State and has not faced any charges in any Court of Law in the last three years, and that he has never been adversely mentioned in any investigatory report of Parliament or any other commission of inquiry in the last three years.

**3.7.1 Oral Submissions**

182. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee, and he responded as recorded hereunder:

***On the significance of the diplomatic ties between Egypt and Kenya***

183. The nominee responded that Egypt holds a historic position in terms of relations with Kenya. He noted that the first business venture established in Cairo in the early 1950s was in communication, where a radio station led by Mr. Mbiyu Koinange aired to convey the struggles faced by both countries. He highlighted that the Kenyan Embassy in Cairo was the second Kenyan Mission established abroad, and the two countries consider each other strategic partners. He emphasized the importance of strengthening bilateral trade, given Kenya's status as an agricultural state and its export of tea to Egypt. He pledged to leverage his position to identify opportunities that will empower Kenyan farmers while balancing Kenya's import and export activities.

***On why the nominee did not become a pastor***

184. The nominee informed the Committee that he serves as a pastor, although he does not preach in a church. As a Christian, he is engaged in para-church organisations by attending church services. Additionally, his Fred Outa Foundation, headquartered in the United States, supports vulnerable children in Kibera.

***On the incitement to violence charge against the nominee 2017***

185. The nominee responded that 'violence' is not a term in his vocabulary as a Christian. He explained that his arrest in 2017 lasted for two days, but he was acquitted of all charges. He cited the Constitution of Kenya, 2010, under Article 50(2)(a), which grants citizens the right to a fair trial and the presumption of innocence until proven guilty.

***On the current conflict between Egypt and Ethiopia over the River Nile waters***

186. The nominee responded that the River Nile Basin conflict has persisted due to Egypt's reliance on the river water for agriculture, as the country is predominantly desert. He averred that Kenya's foreign policy objective is to promote peace within our region and globally, which will be his fundamental approach. He expressed the intention to consult with Headquarters regarding the current situation of the River Nile conflict. He affirmed his intention to maintain neutrality in the conflict, remain focused, and actively participate in negotiations to encourage both nations to seek peaceful resolution.

***Closing Remarks***

187. The nominee concluded that he believes he should be considered for the Ambassador position due to his experience. In the 12<sup>th</sup> Parliament, he served as the Chairperson for the Senate Standing Committee on National Security, Defence, and Foreign Relations. During their oversight role as a committee, they visited approximately twenty missions abroad, where he interacted with Ambassadors, High Commissioners, and Consuls-General. This experience prompted him to aspire to be an ambassador capable of fulfilling the responsibilities of the role.

**3.7.2 Committee's determination on the Suitability of the Nominee to hold office**

188. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations on his suitability for appointment as Ambassador to Cairo, Egypt that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since he is a Kenyan citizen and does not hold dual citizenship.

- (2) The nominee, being a holder of a Master of Arts in Intercultural Studies and a Bachelor of Science in Health Management, has the necessary grounding to understand, pursue and secure Kenya's interests in Egypt.
- (3) The nominee, having served as the Member of the National Assembly and later as a Senator, has the ability to discern the political nuances in the proposed station and utilize such to foster Kenya's interests. Further, having served as a leader in various Non-Governmental Organizations, he possesses the ability to manage both the human and financial resources of a diplomatic mission.
- (4) The nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the EACC, KRA, DCI, ORPP and HELB.
- (5) The nominee demonstrated an impressive grasp of knowledge of topical, administrative and technical issues related to the Office of Ambassador to Cairo, Egypt and has the requisite abilities, qualifications and experience to serve in the office.

**3.8 Prof. Anne Kisaka Nangulu-Nominee for Ambassador to Dakar, Senegal**

189. Prof. Anne Kisaka Nangulu, appeared before the Committee on Friday, 5<sup>th</sup> April 2024 at 12.00 noon and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

***Citizenship, Date and Place of Birth***

190. The nominee is a Kenyan citizen of ID number 2515463, born in Bungoma County in 1963. She confirmed that she does not hold dual citizenship.

***Academic and Professional Qualifications***

191. The nominee holds a PhD in History from West Virginia University (USA), a Master of Arts in History and a Bachelor of Arts degree both from the University of Nairobi.

***Employment Record and Work Experience***

192. The nominee is the Principal at Bomet University College and a Professor of History at Moi University. She is a seasoned Lecturer and has served as a Faculty Representative of the School of Arts and Social Sciences, Head of the Department of History, and Dean of the School of Arts and Social Sciences, Coordinator/Director of quality assurance and Acting Deputy Vice-Chancellor at Moi University. Equally, she has served as Deputy Commission Secretary of Quality, Audit and Standards at the Commission for University Education (CUE).

***Honours and awards***

193. The nominee has several awards including the Global Education Opportunities Award in 1999 at West Virginia University, the Rebecca D. Henry E. Thornburgh Doctoral Fellowship Award in 1999, the Moi University Annual Research Grant Awards and the East African Higher Education Quality Assurance Network Award.

***Professional Association and Memberships***

194. The nominee is a life member of the Association of the Third World Studies Inc., the Historical Association of Kenya, the African Scholars Research Board, Utafiti Foundation and the East African Higher Education Quality Assurance Network (EAQAN). The nominee is a member of several alumni associations such as the Moi University Alumni Association and the University of West Virginia, USA Alumni Association.

***Published Writings***

195. The nominee is widely published with 35 publications to her name (for details see her CV – Annexure 9).

***Public Office, Political Activities and Affiliations***

196. The nominee submitted that she was appointed as representative of the Republic of Kenya at the Inter-University Council for East Africa (IUCEA) Audit Committee. Thereafter, she was appointed Chairperson of the IUCEA, Audit Committee.

***Income and Net worth***

197. The nominee estimated her net worth to be Kshs 103,523,373 with the source of income being employment.

***Potential Conflict of Interest***

198. The nominee declared that she does not have any persons or matter that would present a potential conflict of interest, and should it arise, she would declare the interest in writing to the appointing authority in accordance with the law.

***Pro-bono/Charity Work/Donation to Charity***

199. The nominee is a patron of the Moi University Students Historical Association. She has over the years paid fees periodically for the less privileged students at Secondary, Tertiary (TVETs) and University Levels, and provided service as a Technical Expert to Academic Journals. The nominee is currently serving as Reviewer and Chairperson of the African Historical Review (AHR) - Peer Reviewed Journal, Published by Routledge, London, UK and University of South Africa (UNISA) Press, Pretoria, South Africa. She is also nesting Postgraduate Students by providing scholarships through Grant writing to build capacity for Quality Human Resources for Academics including Research in Kenya and Africa.

***Integrity***

200. The nominee stated that she has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. She also stated that she has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. She informed the Committee that she had fully complied with tax obligations to the State and had never been charged in any Court of Law in the last three years, and neither has she been adversely mentioned in any investigatory report of Parliament or any other commission of inquiry in the last three years.

**3.8.1 Oral Submissions**

201. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee and she responded as recorded hereunder:

***On Senegal being a French-Speaking Country while she doesn't speak French***

202. The nominee stated that she has conducted extensive research and concluded that language should not hinder her ability to fulfill her roles and duties as the Kenyan Ambassador to Senegal. She stated that the African Union (AU) has addressed the language barrier issue in Africa. She noted that based on her interactions with scholars from Senegal, she can confirm that multilingualism is becoming more prevalent in Senegal, with some institutions in the country offering English language. Further, she emphasized that she will be working with a team in the Mission and that there will be individuals with proficiency in French.

***On limited diplomatic experience***

203. The nominee submitted that she has been interacting with the realm of international relations and diplomacy through academia hence it would be prudent for her to be given the opportunity to apply these skills and knowledge in practice. She noted that becoming a diplomat would offer her the chance to demonstrate that individuals in academia can effectively engage in practical applications of their expertise.

***On the allegations of noncompliance with the National Cohesion and Integration Act of 2008 at the Bomet University College***

204. The nominee submitted that the allegations are not true, while acknowledging concerns raised by locals, particularly regarding the employment of administrators at the college from the local community. She outlined that the ethnic composition of Bomet University College and emphasized that the issue of noncompliance with the National Cohesion and Integration Act does not arise. She highlighted the complexity of ethnicity in Kenya, spanning from larger tribes to subtribes and clans, and emphasized the need to address it factually. She also stated that it is challenging to meet all ethnic demands while adhering to the requirement for regional balance.

***On the need to retain her knowledge in academia in the country rather than diplomacy***

205. The nominee assured the Committee that academia cannot be a barrier to deter her from serving the country; instead, she will utilize her academic position to enhance her diplomatic awareness and in the execution of her roles. She also expressed that it would be an opportunity for her to learn. The nominee highlighted that teachers train diplomats while interacting with diplomacy, foreign affairs, and international relations subjects. She emphasized that the job entails writing reports and conducting training to subordinates hence it will provide her with an opportunity for her to practice what she teaches.

***On the completion time of her PhD***

206. The nominee confirmed that she took four years in the USA to complete her PhD as is the requirement.

***On the possible mismanagement of resources during her tenure as the Principal of Bomet University College***

207. The nominee noted that Bomet University College has been among the most stable institutions and has received commendable reports from the Auditor-General throughout her tenure as the Principal. She underscored the absence of pending bills and asserted the college's adherence to timely settlement of bills. Further, she reaffirmed that there were no audit issues against the University.

***On the Kenyan nominee for the Chairperson of the African Union Commission, Rt Hon. Raila Odinga, and how she will leverage Dakar as the entry point to the Francophone countries in Africa to campaign for the Kenyan nominee***

208. The nominee acknowledged Dakar's significance as a pivotal gateway to Francophone Africa. She highlighted Kenya's established presence in Dakar, citing the President's visit to Senegal and the bolstering of Kenya's mission in the city. Emphasizing the importance of existing bilateral frameworks, she pledged to leverage them to ensure Nairobi reaps benefits from its ties with Dakar. She highlighted the President's endorsement of the Kenyan nominee for the Chairperson of the African Union Commission, along with efforts to garner support from other nations. Additionally, she noted the candidate's prior engagement with the AU, which has contributed to his recognition across Africa.

**3.8.2 Committee's determination on the Suitability of the Nominee to hold office**

209. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations on her suitability for appointment as Ambassador to Dakar, Senegal that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since she is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee, being a holder of a PhD in History, a Master of Arts degree in History and a Bachelor of Arts degree, has an in-depth appreciation of the interface between history and diplomacy which will put her in good stead to steer the mission in Dakar, Senegal.

- (3) Having served as the Principal at Bomet University College, a Faculty Representative, a Head of Department, a Dean of a School, a Coordinator/Director of quality assurance, an Acting Deputy Vice-Chancellor at Moi University, and a Deputy Commission Secretary at the Commission for University Education (CUE), the nominee has impeccable managerial acumen to steer both the financial and human resources of a diplomatic mission.
- (4) The nominee meets the requirements of Chapter Six of the Constitution having obtained clearance from the EACC, KRA, DCI, ORPP and HELB.
- (5) The nominee demonstrated in-depth, extensive and impressive knowledge of topical, administrative and technical issues touching on the Office of Ambassador to Dakar, Senegal and has the requisite abilities, qualifications and experience to serve in the office.

### **3.9 Mr. Timothy Kaluma Mcharo - Nominee for Ambassador to Algiers, Algeria**

210. Mr. Timothy Kaluma Mcharo, appeared before the Committee on Friday, 5<sup>th</sup> April 2024 at 2.30 pm and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

#### ***Citizenship, Date, and Place of Birth***

211. The nominee is a Kenyan Citizen of ID Number 10758537, was born in 1972 in Nairobi County, Kenya. He confirmed that he does not hold a dual citizenship.

#### ***Academic and Professional Qualifications***

212. The nominee submitted that he holds a Master of Arts in International Studies from the University of Nairobi, a Master in Public Policy from Princeton University, a Bachelor of Arts from the University of Nairobi and a National Diploma in Business Management from the Kenya Institute of Management.

#### ***Employment Record and Professional Experience***

213. The nominee submitted that he has served as a District Officer (DO) in Mwingi, Embu, Nairobi, and Mandera and as an Assistant Secretary in the Office of the President. Further, he has served in various roles in the Ministry of Foreign Affairs including: as a Second Counsellor at the Kenya Mission to UNEP/UNON; an Assistant Director in the Office of the Deputy Director of Administration; a Minister Counsellor at the Kenya Mission to the UN in Geneva; a Senior Assistant Director at the Office of the Great Lakes Region; a Senior Assistant Director at the Maritime Security Unit in the Peace & Security Directorate; a Deputy Director in the Peace and Security Directorate; an Acting Director in the Red Sea and Indian Ocean Realm Directorate; and a Minister at the Kenya High Commission in Islamabad, Pakistan.

#### ***Income and Net worth***

214. The nominee stated his net worth to be approximately KES 71 million with the sources of income being employment and rental income.

#### ***Potential Conflict of Interest***

215. The nominee stated that he has no immediate associations that are likely to present potential conflict of interest should he assume the position of Ambassador, and should it arise, he would declare the interest in writing to the appointing authority in accordance with the law.

#### ***Pro-bono/Charity Work/Donation to Charity***

216. The nominee submitted that he is engaged in helping church activities and schools in his home County.

#### ***Integrity***



217. The nominee affirmed that he has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also asserted that he has never been adversely associated with practices indicating bias, favouritism, or nepotism in the discharge of public duties. He informed the Committee that he has fully complied with tax obligations to the State and has not faced any charges in any Court of Law in the last three years, and that he has never been adversely mentioned in any investigatory report of Parliament or any other commission of inquiry in the last three years.

### **3.9.1 Oral Submissions**

218. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee and he responded as recorded hereunder:

#### ***On the possible challenge of language barrier***

219. The nominee stated that he understands French and is updating his French language skills.

#### ***On balancing the relationship between Kenya and Algeria amidst Algeria's position on the status of Western Sahara***

220. The nominee submitted that Kenya will work with the African Union (AU) and the United Nations (UN) to ensure that there is peaceful resolution of disputes between the countries. He further noted that he will focus on his role in strengthening Kenya's relationship with Algeria.

#### ***On why it took the nominee seven years after KCSE to obtain Bachelor's Degree***

221. The nominee stated that he enrolled at the University of Nairobi in 1999. However, due to strikes resulting from a change in the government sponsorship system and lecturer strikes, he lost two years. He submitted that the same accounts for the period between when he joined the university and when he graduated.

#### ***On the mistreatment of migrants in Algeria***

222. He submitted that there are protocols governing the treatment of migrants, further noting that he would work with the relevant agencies to safeguard the interests of Kenyans caught up in such treatment.

#### ***On the discrepancies between earnings and net worth***

223. The nominee submitted that earnings are affected with expenditures hence the disparity.

#### ***On increasing Kenya's export to Algeria***

224. The nominee submitted that Kenya does not currently have a formal agreement with Algeria to govern trade. He expressed his intention to work on mechanisms to establish a formal arrangement to begin exporting to Algeria at globally acceptable tariffs. Further, he suggested that Kenya and Algeria could collaborate on various other areas, such as dryland agriculture, pharmaceuticals (including importing drugs at cheaper rates), education, scholarships, and security. He further highlighted that Kenya does not export many of its primary products, such as tea and coffee, to Algeria, and therefore emphasized the need to address barriers to trade promptly in order to enhance trade relations.

#### ***On the degree from Crystal University written in Latin***

225. He submitted that he will take the document to the KNQA for rating and translation.

#### ***On the achievements during his service***

226. The nominee submitted that he provided analysis that informed public policy. He further stated that he developed processes that are currently being implemented and declined to disclose them to avoid jeopardising their implementation.

#### ***Closing remarks***

227. The nominee submitted that he will enhance the relationship between Kenya and Algeria in education, health, security, investment, trade, and other areas. He further stated that he will

bring skills and specializations for the benefit of the country. Additionally, he pledged to advocate for Kenya and ensure that national interests are achieved for the country's overall benefit.

### **3.9.2 Committee's determination on the Suitability of the Nominee to hold office**

228. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations on his suitability for appointment as Ambassador to Algiers, Algeria that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since he is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee, being a holder of a Master of Arts degree in International Studies, a Master in Public Policy, Bachelor of Arts degree, and a National Diploma in Business Management, has sufficient training and grounding in the critical areas of diplomacy, foreign relations, public policy and management. He is therefore suitable to effectively head a diplomatic mission.
- (3) Having served in various roles in the Ministry of Foreign and Diaspora Affairs both in missions abroad and at the Ministry Headquarters, the nominee possesses vast and intimate experience on the workings of Kenya's diplomatic missions and the Ministry Headquarters. He is therefore well equipped to execute the roles of the office to which he has been nominated to.
- (4) The nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the EACC, KRA, DCI, ORPP and HELB.
- (5) The nominee demonstrated an impressive grasp of knowledge of topical, administrative and technical issues touching on the Office of the Ambassador to Algiers, Algeria and has the requisite abilities, qualifications and experience to serve in the office.

### **3.10 Hon. Christopher Andrew Lang'at - Nominee for Ambassador to Abidjan, Cote D'ivoire**

229. Hon. Andrew Lang'at appeared before the Committee on Friday, 5<sup>th</sup> April 2024 at 4.00 pm and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

#### ***Citizenship, Date and Place of Birth***

230. The nominee is a Kenyan citizen of ID Number 10887564 and was born in Bomet County on 10<sup>th</sup> October 1971. He confirmed that he does not hold dual citizenship.

#### ***Academic and Professional Qualifications***

231. The nominee submitted that he holds a PhD in Education (English Language Education), a Master of Philosophy in Curriculum Instruction and Educational Media (English Language Education), and a Postgraduate in Human Resource Development from Moi University; a Bachelor of Education in English (Arts) Literature from the University of Nairobi, a Bachelor of Theology from Daystar University, and a PI Certificate from Kigari Teachers Training College.

#### ***Employment Record and Work Experience***

232. The nominee is a Commissioner at CUE and an Associate Professor at the African International University. He also served as the Senator of Bomet County in the 12<sup>th</sup> Parliament; a Part-Time Lecturer and Postgraduate Supervisor at the University of Nairobi, JKUAT, University of Kabianga, Kisii University, and Kenya Highland University; a Senior Lecturer at Kericho Teachers College; Head Teacher at Siwot Secondary School; a Teacher at Sambret Primary School; and an Associate Pastor at Emityot African Gospel Church.

### ***Professional Association and Memberships***

233. The nominee submitted that he is a Member of the European Centre for Research and Development, UK.

### ***Published Writings***

234. The nominee has various publications including the following:

- (a) *Survey of Availability and Utilization of Current Educational Technology in the Training of Teachers of English Language in Kenya's University* (2014);
- (b) *Mitigating Factors, and Factors Militating against Teacher's Utilization of ICTs in their Classrooms in Kenya's Secondary Schools* (2014);
- (c) *Professional Development of English Language Teachers and Its Implication on Primary Teacher Education in Kenya: Perspective of the Current Paradigm* (2013);
- (d) *Adequacy of Professional Development of English Language Teacher Educators in Primary Teacher Colleges: A Paradigm Shift in Kenya* (2013);
- (e) *The Impact of In-Service Training of Support Staff on Service Delivery. A Case of Tenwek Hospital Bomet County* (2010);
- (f) *Barriers Hindering Implementation, Innovation and Adoption of ICTs in Primary Schools in Kenya*; and
- (g) *Utilization of Educational Technologies in Teacher Education for English Language in Kenya Universities: A Preparation for Appropriate Teacher for Today and Tomorrow.*

### ***Income and Net worth***

235. The nominee estimated his net worth to be KES 20 million with the sources of income being rental income, salary, foreign service allowance, sales from livestock and dividends from shares.

### ***Potential Conflict of Interest***

236. The nominee declared that he does not have any persons or matters that would present a potential conflict of interest. He further stated that should any conflict of interest arise, he would declare the interest in writing to the appointing authority in accordance with the law.

### ***Integrity***

237. The nominee submitted that he has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also stated that he has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. He informed the Committee that he is fully compliant with his tax obligations to the State. Furthermore, the nominee submitted that he has neither been charged in any court of law nor adversely mentioned in an investigatory report of Parliament or any other commission of inquiry in the last three years.

### **3.10.1 Oral Submissions**

238. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee and she responded as recorded hereunder:

#### ***On the negative balance of trade between Kenya and Cote d'Ivoire***

239. The nominee stated that he would survey to establish the actual difference in trade as well as know the areas of commonality and difference. He informed the committee that the above action would help him conduct a conference to improve the trade relations not only with Cote d'Ivoire but also with the neighbouring countries. He stated that he would push the balance of trade in favour of Kenya through trade activities and team-building initiatives.

#### ***On the challenges associated with starting a new embassy in Cote d'Ivoire***

240. The nominee stated that he served as the inaugural Principal of Siwot Secondary School, with one classroom and two students, and that within four years, the institution had evolved to be the fastest-growing school in Kenya. He informed the Committee that he recognises the significance of potentially becoming the first Ambassador of Kenya to Cote d'Ivoire, emphasising that the existing structures and organisational culture would greatly influence his approach. He outlined that the initial priority would be establishing operational frameworks, with assistance from Cote d'Ivoire's Ministry of Foreign Affairs, followed by the commencement of bilateral endeavours.

***On language barrier***

241. The nominee expressed his intention to recruit suitable personnel proficient in language matters, acknowledging his own ongoing advancement in French proficiency.

***On the kind of business the nominee was doing at Chrislang Consultancy Ltd***

242. The nominee stated that Chrislang Consultancy functions as a guidance and counselling institution, offering career guidance services. He highlighted that the initiative stemmed from his experience as a lecturer at Moi University, where he observed that the primary concern reported by students was career confusion.

***On the duration it took the nominee to complete his PhD***

243. The nominee stated that he completed his PhD in a relatively short period, spanning from 2010 to 2013. This expedited process was facilitated by his pre-submission of a proposal to the university senate during his Master's Degree studies. Consequently, upon graduating, he progressed to complete his doctoral studies. Subsequently, the university appointed him as a lecturer.

***Closing remarks***

244. The nominee stated that if granted the opportunity, he would ensure the success of the country's mission in Cote d'Ivoire. He assured the Committee that he would not disappoint the country and pledged to safeguard its interests.

**3.10.2 Committee's determination on the Suitability of the Nominee to hold office**

245. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding his suitability for appointment as Ambassador to Abidjan, Cote d'Ivoire that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since he is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee presented an impressive array of academic credentials, including a PhD in Education, a Master of Philosophy, and various other degrees and certifications. His educational background is extensive and relevant to the diplomatic role.
- (3) The nominee's work experience spans across various sectors, including academia, public service, and religious institutions. His roles as a Commissioner at CUE, an Associate Professor, and his previous positions in teaching and leadership demonstrate a diverse skill set and extensive professional experience.
- (4) The nominee disclosed his membership in the European Centre for Research and Development, UK, indicating an international professional network.
- (5) The nominee has contributed significantly to academic literature, particularly in the field of education. His publications showcase his expertise and commitment to research and development in his area of specialization.
- (6) The nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the EACC, KRA, DCI, ORPP and HELB.

- (7) During the approval hearings, the nominee provided detailed responses to questions posed by the Committee, demonstrating his understanding of the challenges and responsibilities associated with the ambassadorial role. His responses indicated a proactive approach to addressing issues such as trade relations, embassy establishment, and navigating possible challenges while discharging diplomatic duties.
- (8) The nominee displayed an understanding of thematic, administrative, and technical concerns relating to diplomacy, as well as the necessary abilities, credentials, and experience to serve as Ambassador of Abidjan, Cote d'Ivoire.

### **3.11 Ms. Jessica Muthoni Gakinya - Nominee for Ambassador to Rabat, Morocco**

246. Ms. Jessica Muthoni Gakinya appeared before the Committee on Monday, 8<sup>th</sup> April 2024 at 9.00 am and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

#### ***Citizenship, Date, and Place of Birth***

247. The nominee is a Kenyan citizen of ID Number 22015035 and was born in Embu County on 20<sup>th</sup> May 1980. She confirmed that she does not hold dual citizenship.

#### ***Academic and Professional Qualifications***

248. The nominee holds a Masters of Arts in Project Planning and Management from the University of Nairobi and a Bachelor of Arts in Sociology and Communications from the University of Nairobi.

#### ***Employment Record and Professional Experience***

249. The nominee is the Senior Business Development Lead – Public Sector Digital Transformation at Safaricom Limited. She has over 18 years of experience working at Safaricom Limited in various capacities including Customer Care Representative, Retail Center Manager, Partner Sales – Manager Dealers and Channels, Sector Manager – Enterprise Business Unit, and Board of Director – Kenya Fisheries Service.

#### ***Honours and Awards,***

250. The nominee was awarded the CEO Heroes Award 2022 for delivering the 2022 General Election Technology Project. She was also awarded the Safaricom Heroes Award in FY 2020 for Delivering the first Digital Census in Africa.

#### ***Professional Associations and Membership***

251. She is a member of the Karen Country Club and the Salesian Cooperator.

#### ***Income and Net worth***

252. The nominee estimated her net worth to be KES 40 million with her sources of income being salaries and work bonuses.

#### ***Potential Conflict of Interest***

253. The nominee declared that she does not have any persons or matters that would present a potential conflict of interest. She further stated that should any conflict of interest arise, she would declare the interest in writing to the appointing authority in accordance with the law.

#### ***Pro-bono/Charity Work/Donation to Charity***

254. The nominee participated in charity initiatives through the Safaricom Foundation, collaborating on the construction of a library at Muragari Day Secondary School in Runyenjes Constituency. Additionally, she was engaged in charitable activities with the Salesian Cooperators, contributing to a street rescue mission.

#### ***Integrity***

255. The nominee submitted that she has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. She also stated that she has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. She informed the Committee that she is fully compliant with her tax obligations to the State. Furthermore, the nominee submitted that she has neither been charged in any court of law nor adversely mentioned in an investigatory report of Parliament or any other commission of inquiry in the last three years.

### **3.11.1 Oral Submissions**

256. To evaluate the nominee's overall suitability for the position, the Committee posed questions to the nominee and she responded as recorded hereunder:

#### ***On the negative trade balance with Morocco***

257. The nominee highlighted the considerable potential for Kenya to expand its trade relations with Morocco, and expressed her intention to encourage Moroccan investors to establish a fertilizer processing plant in Kenya, thereby enhancing its availability and yielding various benefits. Additionally, she expressed her plan to promote the specialisation in green tea, which is favoured in the Moroccan market. Moreover, she noted that while Morocco largely sources its coffee from Indonesia, she aims to facilitate an increase in Kenya's coffee exports to Morocco. Furthermore, she expressed intention to explore various avenues to boost trade between Kenya and Morocco, such as textiles export. She emphasised that Moroccan ports leverage technology, and she aims to facilitate connectivity between Moroccan and Kenyan ports to facilitate seamless movement of goods.

#### ***On cooperation between Kenya and Morocco in tourism sector***

258. The nominee stated her intention to scrutinise the MoU between Kenya and Morocco and utilise established frameworks to maintain the enduring relationship between the two nations, established since 1981. She informed the Committee of her plans to address matters such as facilitating direct flights between Kenya and Morocco, thereby enhancing the smooth movement of tourists between the two countries. Furthermore, she expressed her belief that Kenya can broaden its tourism packages to tourists visiting Morocco, by encouraging tourists visiting Morocco to also extend their trips to Kenya.

#### ***On the issue of language barrier***

259. The nominee confirmed to the Committee that she does not speak Arabic or French, which are widely spoken languages in Morocco. However, she noted that Morocco is an international country where English is also used, even in government institutions. She stated her intention to enrol in language lessons for both French and Arabic, with support from a team based in Nairobi to assist her in overcoming the language barrier.

#### ***On dispute resolution skills***

260. She stated that she has handled numerous cases of dispute resolution in the workplace and has employed various strategies to resolve disputes. These strategies include investigating the nature of the issue, analysing the grievances and benefits involved, and ultimately identifying areas of collaboration between the two parties.

#### ***On the lessons Kenya can learn from the privatization of government Sectors in Morocco***

261. The nominee confirmed to the Committee that Morocco has extensively privatised many of its institutions. She expressed her intention to review the MoU between Morocco's private export companies and the National Chamber of Commerce in Kenya, aiming to establish connections between businesses in Morocco and those in Kenya. Additionally, she stated her intention to explore practices implemented in Morocco that could be adapted for implementation in Kenya.

#### ***On the opportunities for labour export to Morocco***

262. The nominee emphasised the necessity for both governments to engage in discussions regarding labour migration. She pledged to undertake the responsibility of identifying and pursuing opportunities suitable for youth employment. Furthermore, she recognised that Morocco offers scholarships to Kenyans, but highlighted language barrier as a challenge. Thus, she stressed the importance of equipping youth with language skills to facilitate their integration into the Moroccan system.

### **3.11.2 Committee's determination on the Suitability of the Nominee to hold office**

263. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding her suitability for appointment as Ambassador to Rabat, Morocco, that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since she is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee holds a Master of Arts in Project Planning and Management as well as a Bachelor of Arts in Sociology and Communications, which are relevant academic credentials for the diplomatic role.
- (3) With extensive experience at Safaricom Ltd and recognition for her contributions to technology projects, the nominee demonstrated a diverse skill set, extensive professional background, competence and dedication in her field.
- (4) The nominee's membership to the Karen Country Club and the Salesian Cooperator, indicating her engagement in professional and social networks. Additionally, her involvement in charitable initiatives, particularly through Safaricom Foundation and the Salesian Cooperators, underscores her dedication to social responsibility.
- (5) The nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the EACC, KRA, DCI, ORPP and HELB.
- (6) During the approval hearing, the nominee provided comprehensive responses to questions posed by the Committee, demonstrating her understanding of various aspects related to Kenya-Morocco relations. The Committee encouraged her to support initiatives aimed at attracting investors to establish fertilizer processing plants within Kenya.
- (7) The nominee demonstrated commitment to enhancing trade relations between Kenya and Morocco. She has a proactive approach towards strengthening bilateral ties and fostering mutually beneficial economic cooperation between the two countries.
- (8) The nominee demonstrated extensive knowledge of topical, administrative and technical issues touching on the Office of the Ambassador to Rabat, Morocco and has the requisite abilities, qualifications and experience to serve in the office.

### **3.12 Hon. Halima Yussuf Mucheke - Nominee for Ambassador to The Hague, Netherlands**

264. Hon. Halima Yusuf Mucheke appeared before the Committee on Monday, 8<sup>th</sup> April 2024 at 10.30 am and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

#### ***Citizenship, Date and Place of Birth***

265. The nominee is a Kenyan citizen of ID number 9096363 and was born in 1967 in Meru County. She confirmed that she does not hold dual citizenship.

#### ***Academic and Professional Qualifications***

266. The nominee holds a Bachelor's Degree in Psychology from the University of Nairobi and a Diploma in Business Administration from Temple College, Nairobi.

#### ***Employment Record and Work Experience***

267. The nominee has served as the Chairperson of the Tourism Regulatory Authority, a Nominated Member of the National Assembly in the 12<sup>th</sup> Parliament; a Sub-County Administrator in Meru County; and an Assistant Secretary at the Ministry of Agriculture.

***Honours and awards***

268. The nominee was awarded the Food, Security, Water and Sanitation Award at the People's Shujaaz Awards by *Mzalendo Watch* in 2021.

***Public Office, Political Activities and Affiliations***

269. The nominee submitted that she is a member of the United Democratic Alliance (UDA).

***Income and Net worth***

270. The nominee estimated her net worth to be KES 83 million with her sources of income being honorarium and allowances from the Tourism Regulatory Authority.

***Potential Conflict of Interest***

271. The nominee declared that she does not have any persons or matters that would present a potential conflict of interest. She further stated that should any conflict of interest arise, she would declare the interest in writing to the appointing authority in accordance with the law.

***Pro-bono/Charity Work/Donation to Charity***

272. The nominee is involved in charity work in the support of vulnerable children at Jesus Hobbs Children's Home in Kajiado County and Kwetu Home of Peace, environment conservation through Kiamiriru Environment Conservation Group and the provision of cooking gas cookers to the elderly. She added that she has also supported table banking activities in Meru.

***Integrity***

273. The nominee submitted that she has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. She also stated that she has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. She informed the Committee that she is fully compliant with her tax obligations to the State. Furthermore, the nominee submitted that she has neither been charged in any court of law nor adversely mentioned in an investigatory report of Parliament or any other commission of inquiry in the last three years.

**3.12.1 Oral Submissions**

274. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee and she responded as recorded hereunder:

***On the question of skewed and discriminatory decisions by the ICC against Africa and on ensuring that Kenya's position is respected as well as that of Africa as a continent***

275. The nominee stated that being Kenya's special envoy she would familiarize herself with the position and then later decide on which would be the best direction to take in favour of Kenya.

***On the nominee's position regarding the legality of LGBTQ in the Netherlands***

276. The nominee informed the Committee that she is a Muslim and does not believe in same-sex marriage. However, she said looking at the principles of foreign policy it was not ideal for her to interfere with the culture of the Dutch people.

***On the possible areas to promote Kenya's trade with the Netherlands to promote more FDI***

277. The nominee stated that she would launch targeted marketing campaigns to showcase Kenyan opportunities to the Dutch and advocate for policies in favour of Kenya's trade. She informed the committee that she would offer investment opportunities such as tax incentives on machinery and convince the Dutch people of Kenya's infrastructure and political stability in the country that is conducive for business.



***On promotion of collaboration in tourism, education, public administration and defence sectors between Kenya and the Netherlands***

278. The nominee submitted that her duties as Kenya's Ambassador to The Hague would entail negotiating on behalf of the country hence, she would study viable ways to ensure that Kenya has education exchange programmes and scholarships. She committed to advise Kenyans on the best direction to take. The nominee added that she would also organize for committees of Parliament to visit the Netherlands and prepare reports to be used as a guiding tool for Kenya on leveraging such opportunities.

***On promotion of miraa export to the Netherlands***

279. The nominee stated that the export of *miraa* to the Netherlands was banned due to littering. She insisted that the solution lies in enhancing standards, quality and capacity building for *miraa* farmers in Kenya.

***On leveraging the Netherlands' advanced technology to solve the challenges Kenyan dairy farmers' experience***

280. The nominee stated she would familiarise with the Dutch technologies and then make sure Members of Parliament visit the Dutch to ensure that they raise policies back home that support farmers.

**3.12.2 Committee's determination on the Suitability of the Nominee to hold office**

281. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding her suitability for appointment as Ambassador to The Hague, Netherlands, that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since she is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee holds a Bachelor's Degree in Psychology and a Diploma in Business Administration. While her academic background may not directly align with diplomatic affairs, her experience in public service could contribute to her role as an ambassador.
- (3) The nominee has diverse professional background, having served as the Chairperson of the Tourism Regulatory Authority, Nominated Member of the National Assembly, Sub-County Administrator, and Assistant Secretary at the Ministry of Agriculture, thus capable of handling diplomatic responsibilities.
- (4) The nominee is actively involved in various charitable initiatives, demonstrating her commitment to social responsibility and community development.
- (5) The nominee had obtained clearance from the EACC, KRA, DCI, ORPP and HELB. She was therefore compliant with Chapter Six of the Constitution.
- (6) The nominee disclosed her membership in the UDA Party but assured the Committee that her political affiliation would not interfere with her duties as Ambassador. The Committee noted that while the nominee is a member of UDA, she does not hold office in the party as required by Article 77(2) of the Constitution. The Committee further noted that Article 38(1) of the Constitution provides that every citizen is free to make political choices, which includes the right to participate in the activities of a political party.
- (7) The nominee responded to questions posed by the Committee with clarity and insight, addressing issues related to Kenya's position in international forums, trade promotion, collaboration in various sectors, and technology transfer from the Netherlands to Kenya. Her responses reflected a thoughtful approach and a willingness to engage with complex diplomatic issues.
- (8) The nominee demonstrated an impressive grasp of knowledge of topical, administrative and technical issues touching on the roles of an ambassador. She therefore has the

requisite abilities, qualifications and experience to serve as Ambassador to the Netherlands.

### **3.13 Mr. David Kiplagat Kerich - Nominee for Ambassador to Washington DC, USA.**

282. Mr. David Kiplagat Kerich appeared before the Committee on Monday, 8<sup>th</sup> April 2024 at 12.00 noon and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

#### ***Citizenship, Date and Place of Birth***

283. The nominee is a Kenyan citizen of ID number 9677187 and was born in Baringo County in 1968. He confirmed that he does not hold dual citizenship.

#### ***Academic and Professional Qualifications***

284. The nominee is a holder of Bachelor's Degree in Law (LLB) from the University of Nairobi and a Postgraduate Diploma in Law from the Kenya School of Law.

#### ***Employment Record and Work Experience***

285. The nominee is the Managing Partner at Kiplagat & Co. Advocates. He served as the Speaker of Baringo County Assembly, Member of IPT, a Partner at Kiplagat & Manyariki Advocates, a Legal Officer at the NSSF, an Associate Advocate at Murgor & Murgor Advocates, a State Counsel at the Attorney General Chambers and Legal Officer at the KGGCU.

#### ***Professional Association and Memberships***

286. The nominee is a member of EALS, and LSK. He is also a member of St. Peters SCC, Great Legal Minds, O Berur Cooperative Society, and Lengo Group.

#### ***Public Office, Political Activities and Affiliations***

287. The nominee submitted that she does not hold a public office, nor is she affiliated with any political party or activity.

#### ***Income and Net worth***

288. The nominee estimated his net worth at Kshs 378 million, with income derived from legal fees and rental properties. He also indicated that his deferred income and future benefits consist of legal fees.

#### ***Potential Conflict of Interest***

289. The nominee declared that he does not have any persons or matters that would present a potential conflict of interest. He further stated that should any conflict of interest arise, he would declare the interest in writing to the appointing authority in accordance with the law.

#### ***Integrity***

290. The nominee submitted that he has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also stated that he has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. He informed the Committee that he is fully compliant with his tax obligations to the State. Furthermore, the nominee submitted that he has neither been charged in any court of law nor adversely mentioned in an investigatory report of Parliament or any other commission of inquiry in the last three years.

### **3.13.1 Oral Submissions**

291. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee, and he responded as recorded hereunder:

#### ***On limited diplomatic experience***

292. The nominee submitted that his legal background equips him with knowledge in diplomacy, having studied Public International Law during his legal education. He assured the Committee of the presence of qualified Kenyans in Washington D.C., noting his commitment to team up with the qualified Kenyans in the Embassy to build from what the team and its predecessors have done. Moreover, he emphasised that his academic qualifications, professional experience in law, and past roles enable him to stay informed about diplomatic matters and seek further knowledge in the field.

***On trade partnerships between Kenya and USA***

293. The nominee noted that Kenya is doing well in trade with the US and can even do better. He pledged to capitalise on existing agreements and initiatives to boost Kenya's trade volume with the US. He submitted that he would put in mechanisms through negotiations and bilateral trade agreements on the need to trade with Kenya. He also assured the Committee that the existing bilateral strategic dialogue between Kenya and US would come in handy to strengthen the trade partnerships between the two countries and increase the trade volumes.

***On inconsistency between his admission to the Bar and first employment at KGCCU***

294. The nominee confirmed that he was employed at KGCCU as Legal Assistant while awaiting admission to the Bar. He submitted that he was seconded to the KGCCU by the law firm he was serving as an intern.

***On the allegations of corruption during his tenure as the Chairperson of Baringo County Assembly Board***

295. The nominee clarified that he has not been given the opportunity to defend himself and remains innocent until proven guilty. He explained that the allegations concern the entire Baringo County Assembly Service Board and not his individual conduct. Additionally, he highlighted that there is currently no active case related to the allegations, therefore, the issue of integrity does not arise.

***On the reason(s) for his exit from NSSF at a time when the Agency was facing financial scandals***

296. The nominee informed the Committee that he exited NSSF in the year 1998 on his personal volition as he wanted to pursue private practice.

***On whether the nominee has ever done any pro bono case***

297. The nominee noted that he has done many pro bono legal service, and that he did not put everything in the questionnaire.

***On the integrity issues, public perception, and possible rejection of his appointment by the US***

298. The nominee emphasised that public judgment is guided by the law, noting that Kenyans are aware that the allegations against him are mere accusations and will regard them as such. He further submitted that the issue of integrity has not been tested and remains a mere allegation. He stated that he does not have any baggage to be cleared since there is no charge or recommendation to charge so far, in regard to the said allegations. He affirmed that he possesses the required integrity, and assured the Committee that the US will have no problem with him serving as the Kenya's Ambassador in Washington D.C.

***On the need for further interrogation concerning his integrity***

299. The nominee stated that he has a clean record for his integrity to be questioned. He further confirmed that in case of any need for further interrogation and as a national duty, he would honor the invite and attend.

***On the efforts made to restore peace and order in the North Rift during his tenure as the Speaker of Baringo County Assembly***

300. The nominee stated that during his tenure as Speaker, he conducted numerous meetings, known as the Speaker's Kamukunji, to engage with Members of County Assembly (MCAs) and encouraged them to take proactive steps in addressing the issue of banditry in the North Rift region.

***On the export of Kenyan coffee to the USA***

301. He stated that the Government has always ensured that coffee farmers are sensitized on how coffee attracts volumes and prices needed. The nominee informed the Committee that he would ensure coffee consumers in the US are aware of the coffee from Kenya through proper marketing.

***On the lack of public awareness on the trade agreements between Kenya and the US***

302. The nominee stated that trade agreements like AGOA have promoted trade between Kenya and the US. He emphasised that there is no disconnect between the Ministry of Foreign and Diaspora Affairs and Kenyan traders. However, he noted the necessity for further sensitisation of farmers and traders regarding the importance of producing high-quality products to attract foreign markets for produce such as coffee, macadamia, and apparel. Additionally, the nominee added that Kenya as a country is performing well, and there is only a need for improvement.

***On whether he will complete his term if approved for the position, based on his employment history of not lasting in jobs***

303. The nominee assured the Committee that if his nomination is approved, he would complete his term as required. He also added that his movement from one job to another was intentional for growth and experience.

**3.13.2 Committee's determination on the Suitability of the Nominee to hold office**

304. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding his suitability for appointment as Ambassador to Washington DC, USA, that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since he is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee holds a Bachelor's Degree in Law and a Postgraduate Diploma in Law, indicating a solid foundation in legal education.
- (3) The nominee's extensive professional experience and various legal roles in both public and private sectors could provide valuable insights for his diplomatic role.
- (4) The nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from KRA, DCI, ORPP and HELB.
- (5) The nominee has a pending investigation by the EACC concerning recruitment irregularities in the Baringo County Assembly Service Board. He however, addressed allegations against him, asserting his innocence until proven guilty and emphasizing the absence of active cases related to the allegations.
- (6) The allegations against the nominee are still under investigation by the EACC and he has not been charged and convicted in that regard. Article 50(2)(a) of the Constitution provides that every accused person has the right to be presumed innocent until the contrary is proved. Therefore, it would be premature for the Committee to adjudge the nominee guilty of undisclosed offenses when due process has not been carried out.
- (7) During the approval hearing, the nominee responded to questions posed by the Committee with clarity and confidence. He addressed concerns regarding his limited diplomatic experience by highlighting his legal background and commitment to working with

qualified embassy staff. Additionally, he outlined strategies for enhancing trade partnerships between Kenya and the USA, clarified past employment-related queries, and affirmed his commitment to serving a full term if appointed.

- (8) The nominee demonstrated a relatively impressive grasp of knowledge of topical, administrative and technical issues touching on the Office of the Ambassador to Washington DC, US and has the requisite abilities, qualifications and experience to serve in the office.

**3.14. Ms. Everlyne Mwenda Karisa - Nominee for Ambassador to Havana, Cuba**

305 Ms. Everlyne Mwenda Karisa appeared before the Committee on Monday, 8<sup>th</sup> April 2024 at 2.30 pm and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

***Citizenship, Date and Place of Birth***

306. The nominee is a Kenyan Citizen of ID Number 22367982 and was born on 10<sup>th</sup> October 1981 in Kilifi County. She confirmed that she does not hold dual citizenship.

***Academic and Professional Qualifications***

307. The nominee holds a Master's Degree in Gender and Development Studies from the University of Nairobi and a 1<sup>st</sup> Class Honours in Bachelor of Arts in Cultural Studies (Anthropology) from Moi University.

***Employment Record and Work Experience***

308. The nominee is a Senior Administration Officer at Bandari Maritime Academy. She also served as the Chief Officer at the Department of Gender, Culture, Social Services and Sports - Kilifi County; Sub-County Administrator - Kilifi County; and District Officer/Assistant County Commissioner in the Office of the President.

***Professional Association and Memberships***

309. She is a Member of the Anthropological Association of Kenya and KAPAM. She is also a founding Member of the Kilifi Watoto Centre.

***Income and Net worth***

310. The nominee estimated her net worth to be KES 10 million with the sources of income being salary, share dividends and proceeds from farming.

***Potential Conflict of Interest***

311. The nominee declared that she does not have any persons or matters that would present a potential conflict of interest. She further stated that should any conflict of interest arise, she would declare the interest in writing to the appointing authority in accordance with the law.

***Pro-bono/Charity Work/Donation to Charity***

312. The nominee is involved in charity work by supporting payment of school fees for children/girls in Ganze at KES 200,000 and construction of her local church Shigila Great Revival Church at KES 150,000.

***Integrity***

313. The nominee submitted that she has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. She also stated that she has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. She informed the Committee that she is fully compliant with her tax obligations to the State. Furthermore, the nominee submitted that she has neither been charged in any court of law nor adversely mentioned in an investigatory report of Parliament or any other commission of inquiry in the last three years.

### **3.14.1 Oral Submissions**

314. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee, and she responded as recorded hereunder:

#### ***On the Cuba medical doctor's contract***

315. The nominee acknowledged the programme's value despite encountering several challenges. She informed the Committee that initially, doctors were assigned to County Hospitals that were lacking certain specialisations, citing the example of two doctors posted in Kilifi County. If appointed, she pledged to investigate the reasons for contract terminations and involve all stakeholders in future opportunities.

#### ***On the two Cuban doctors kidnapped in Mandera County***

316. The nominee described the kidnapping as an unfortunate incident resulting in the tragic demise of the Cuban doctors. She noted that Kenya has experienced the impacts of terrorism and affirmed that the Kenyan Government made every effort to secure the doctors' release, which was communicated to the Cuban Government. She stated that if appointed and should the contract with the Cuban doctors continue, she would engage in consultations regarding their future postings to ensure their safety and security.

#### ***On other areas of mutual cooperation with Cuba other than Medicare***

317. The nominee outlined her commitment to enhancing bilateral relations with Cuba, particularly in tourism, culture, and trade. She emphasised the importance of learning from Cuba's successful tourism and cultural sectors, especially in marketing beaches and UNESCO Heritage sites. Additionally, she highlighted the potential for increasing trade volumes, particularly in food crops and value-added products. Furthermore, she pledged to pursue opportunities for Kenyan youth to receive scholarships in fields such as medicine and biotechnology, and to assist farmers in food value addition, leveraging Cuba's expertise in small industries.

#### ***On possible language barrier***

318. The nominee expressed her commitment to learning basic communication in Spanish, citing her previous experiences working in various regions of Kenya where she interacted with interpreters. She mentioned consulting with Ambassador Paul, the Director General of the Foreign Service Academy, who offered her the opportunity to study the language online. She assured the Committee of her dedication to mastering Spanish, aiming to achieve fluency by the time of their benchmarking visit if appointed.

#### ***On leveraging the relationship between Kenyan and Cuba to benefit Kenyan tobacco farmers***

319. The nominee informed the Committee of the ongoing campaigns by the UN/WHO against cigarette and tobacco products due to their harmful effects on health. Despite being members of the UN, tobacco farming remains a thriving business in Cuba. She pledged to study how Cuba manages this industry within the framework of UN/WHO regulations and to propose strategies for increasing trade volumes without contravening these regulations.

#### ***On cooperation in healthcare***

320. The nominee highlighted the distinctive feature of Cuba's health system, emphasizing its preventive rather than curative focus. She explained to the Committee that Cuban doctors regularly conduct home check-ups on patients, and unlike in other countries, there are no private hospitals, ensuring uniform standards across healthcare facilities. Furthermore, she noted that Cuban doctors undergo comprehensive medical training under the guidance of senior doctors and specialists, suggesting that Kenya could benefit from adopting a similar holistic approach to healthcare.

### **Closing remarks**

321. The nominee informed the Committee that she should be appointed because she is capable, she has the energy, she has worked in both national and county governments and she is good with people.

### **3.14.2 Committee's determination on the Suitability of the Nominee to hold office**

322. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding her suitability for appointment as Ambassador to Havana, Cuba, that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since she is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee holds a Master's Degree in Gender and Development Studies and a Bachelor of Arts in Cultural Studies, hence demonstrating a strong educational background.
- (3) The nominee has served in various administrative roles, including Senior Administration Officer and Chief Officer at the Department of Gender, Culture, Social Services, and Sports, thus has experience in both national and county governments to provide valuable insights for her diplomatic role.
- (4) The nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the EACC, KRA, DCI, ORPP and HELB.
- (5) During the approval hearing, the nominee responded to questions posed by the Committee with diligence and insight. Her responses demonstrated a nuanced understanding of bilateral relations and a proactive approach to addressing challenges.
- (6) The nominee demonstrated an impressive grasp of knowledge on topical, administrative, and technical issues related to the Office of Ambassador to Havana, Cuba. She therefore has the ability to serve in the office.

### **3.15 Dr. Peter Mutuku Mathuki - Nominee for Ambassador to Moscow, Russia**

323. Dr. Peter Mutuku Mathuki appeared before the Committee on Monday, 8<sup>th</sup> April 2024 at 4.00 pm and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

#### ***Citizenship, Date and Place of Birth***

324. The nominee is a Kenyan citizen of ID Number 10890291 and was born on 20<sup>th</sup> February 1969. He confirmed that he does not hold dual citizenship.

#### ***Academic and Professional Qualifications***

325. The nominee holds a PhD in Business Administration (Strategic Management and Regional Integration) from the University of Nairobi, a Master's degree in Business Administration from Maharshi Dayanand University, a Bachelor's degree in Commerce from Maharshi Dayandand University.

#### ***Employment Record and Work Experience***

326. The nominee is the EAC Secretary General. He served as the CEO at the East African Business Council, EALA Member of Parliament, Chief Negotiation Skills Expert at the EU Project on Social Dialogue – Labour Institutions in Africa (Asmara, Eritrea), Advocacy Expert at the East African Trade Union Confederation, and Director (Projects and Research) at the International Confederation of Free Trade Unions – African Regional Organization (ICFTU-Africa).

#### ***Public Office, Political Activities and Affiliations***

327. The nominee submitted that he was Deputy Gubernatorial Candidate, Machakos County in the 2017 General Elections.

#### ***Income and Net worth***

328. The nominee estimated his net worth to be approximately KES 150 million with the sources of income being employment.

***Potential Conflict of Interest***

329. The nominee declared that he does not have any persons or matters that would present a potential conflict of interest. He further stated that should any conflict of interest arise, he would declare the interest in writing to the appointing authority in accordance with the law.

***Integrity***

330. The nominee submitted that he has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also stated that he has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. He informed the Committee that he is fully compliant with his tax obligations to the State. Furthermore, the nominee submitted that he has neither been charged in any court of law nor adversely mentioned in an investigatory report of Parliament or any other commission of inquiry in the last three years.

**3.15.1 Oral Submissions**

331. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee and he responded as recorded hereunder:

***On the issues of language barrier***

332. The nominee stated there are official diplomatic languages that are recognized but he would strive to learn the Russian language to help in marketing.

***On prompting trade investment between Kenya and Russia amidst the numerous sanctions on Russia by the West***

333. The nominee highlighted that the most significant challenge is reducing the trade deficit between Kenya and Russia. He acknowledged that the international sanctions imposed on Russia pose a significant setback to trade ties between the two countries. He affirmed that if nominated, he would implement a structured framework aimed at increasing awareness among Russian consumers about Kenyan products such as tea, coffee, and avocado.

***On the strategies for tapping into the large Russian market for Kenyan commodities***

334. The nominee acknowledged the substantial untapped potential in accessing the vast Russian market for Kenyan goods. He pledged to convene all stakeholders to boost trade between Kenya and Russia. He committed to promoting Kenyan incentives to attract Russian investors to Kenya based on the level of engagement established.

***On the promotion of cultural exchange between Kenya and Russia.***

335. The nominee pledged to establish a Swahili Cultural Centre at the Kenyan Mission in Moscow to foster Kenyan culture in Russia. He noted that the Centre would facilitate Russians in learning and comprehending Kenyan culture, thereby enhancing trade between the two nations.

***On whether the Nominees appointment as ambassador was a demotion from the position of Secretary General of the East Africa Community***

336. The nominee stated that he was in service of the Country and would work in any place where His Excellency the President appointed him.

**3.15.2 Committee's determination on the Suitability of the Nominee to hold office**

337. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding his suitability for appointment as Ambassador to Moscow, Russia, that:



- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since he is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee holds a PhD in Business Administration, a Master's degree in Business Administration, and a Bachelor's degree in Commerce, indicating a strong academic background.
- (3) The nominee has held various positions, including EAC Secretary General, CEO at the East African Business Council, and EALA Member of Parliament, demonstrating a wealth of experience in regional integration and diplomacy.
- (4) The nominee has met the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the EACC, KRA, DCI, ORPP and HELB.
- (5) During the approval hearing, the nominee responded to questions posed by the Committee with clarity and insight, addressing concerns regarding language barriers, trade investment between Kenya and Russia, strategies for accessing the Russian market, and promotion of cultural exchange between the two nations.
- (6) The nominee demonstrated an impressive grasp of knowledge on topical, administrative and technical issues. He therefore, possesses the necessary qualifications, experience, and dedication to effectively represent Kenya as Ambassador to Moscow, Russia.

**3.16 Mr. Aden Mohamud Mohamed-Nominee for Consul-General to Jeddah, Saudi Arabia**

338 Mr. Aden Mohamud Mohamed appeared before the Committee on Tuesday, 9<sup>th</sup> April 2024 at 9.00 am and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

***Citizenship, Date and Place of Birth***

339 The nominee is a Kenyan Citizen of ID No. 21960841 and was born on 30<sup>th</sup> June 1980 in Garissa County. He confirmed that he does not hold dual citizenship.

***Academic and Professional Qualifications***

340 The nominee holds a Bachelor of Arts in Economics from the University of North Texas, USA.

***Employment Record and Work Experience***

341 The nominee is the Assistant Director at Africa Affairs Directorate and the Middle East Directorate. He also served as the Assistant Director and First Secretary at the Protocol Directorate, Second Counsellor and First Secretary at the Kenya High Commission in London - UK, First Secretary in the Africa and African Union Affairs Directorate, and Second Secretary and Vice Consul at the Kenya Consulate General - Dubai.

***Public Office, Political Activities and Affiliations***

342 The nominee submitted that he is not affiliated to any political party or activities.

***Income and Net worth***

343 The nominee estimated his net worth to be KES 100 million with the sources of income being rental income of average of KES 10 million annually.

***Potential Conflict of Interest***

344 The nominee declared that he does not have any persons or matters that would present a potential conflict of interest. He further stated that should any conflict of interest arise, he would declare the interest in writing to the appointing authority in accordance with the law.

***Integrity***

345 The nominee submitted that he has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also stated that he has

never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. He informed the Committee that he is fully compliant with his tax obligations to the State. Furthermore, the nominee submitted that he has neither been charged in any court of law nor adversely mentioned in an investigatory report of Parliament or any other commission of inquiry in the last three years.

### **3.16.1 Oral Submissions**

346. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee and she responded as recorded hereunder:

#### ***On the challenges faced by domestic workers in Saudi Arabia and confiscation of their passports by employers***

347. The nominee informed the Committee that the Kingdom of Saudi Arabia is transitioning from the traditional Kafala system to a digital platform for registering all migrant workers. He emphasised that the Kingdom of Saudi Arabia has introduced the Labour Reform Initiative, enabling unrestricted movement of labourers within the country. Additionally, he highlighted that a new labour agreement is imminent to abolish instances of employers confiscating passports. Furthermore, he expressed his commitment to advocating for a bilateral agreement between Kenya and Saudi Arabia to safeguard the rights of Kenyan workers.

#### ***On the negative balance of trade between Kenya and Saudi Arabia***

348. The nominee highlighted that Jeddah serves as a significant financial centre for the Kingdom of Saudi Arabia. He also observed that the Kingdom has been importing a substantial portion of its meat products from Sudan; however, due to instability in Sudan, there exists a deficit. Consequently, Kenya aims to capitalise on this opportunity by exporting meat and meat products to Saudi Arabia, while also enhancing the export of tea and coffee. Additionally, he expressed his intention to facilitate collaboration between the Kenyan Chamber of Commerce and the Jeddah Chamber of Commerce and Industry to bolster trade relations between Kenya and Saudi Arabia.

#### ***On the importance of Jeddah City to Kenya***

349. The nominee highlighted the significance of Jeddah as a crucial port city in the Kingdom of Saudi Arabia. He noted its importance during pilgrimage seasons, as it would alleviate the strain on the Embassy in Riyadh, which tends to be overwhelmed during such times. Additionally, he emphasized the role of Jeddah in expediting services, such as the transportation of human remains between the two countries and the issuance of passports.

#### ***On what advice he would give to the migrant workers***

350. The nominee indicated his intention to facilitate the establishment of a Contract Verification System, crucial for migrant workers, and to raise awareness among them regarding the expectations in the Kingdom of Saudi Arabia. He mentioned ongoing negotiations for a new MoU between the labour ministries, which, upon completion, would enable Kenya to expand its workforce in Saudi Arabia, consequently boosting foreign remittances from the Kingdom.

### **3.16.2 Committee's determination on the Suitability of the Nominee to hold office**

351. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding his suitability for appointment as Consul-General to Jeddah, Saudi Arabia, that.

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since he is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee holds a Bachelor of Arts in Economics indicating educational background.

- (3) The nominee has extensive experience in diplomatic roles, having served in various capacities in Africa Affairs Directorate, Middle East Directorate, and Kenyan missions abroad, demonstrating proficiency in diplomatic affairs and international relations.
- (4) The nominee has met the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the EACC, KRA, DCI, ORPP and HELB.
- (5) During the hearing, the responded to questions posed by the Committee with clarity. He addressed concerns regarding challenges faced by domestic workers in Saudi Arabia, negative balance of trade between Kenya and Saudi Arabia and the importance of Jeddah City to Kenya. His responses during the hearing reflected a comprehensive understanding of diplomatic challenges and a proactive approach to addressing them in the interest of Kenya and its citizens.
- (6) The nominee demonstrated an impressive grasp of knowledge on topical, administrative and technical issues related to the Office of Consul-General to Jeddah, Saudi Arabia.

### **3.17 Mr. Kenneth Milimo Nganga-Nominee for Ambassador to Abu Dhabi, UAE**

352. Mr. Kenneth Milimo Nganga appeared before the Committee on Tuesday, 9<sup>th</sup> April 2024 at 10.30 am and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

#### ***Citizenship, Date and Place of Birth***

353. The nominee is a Kenyan Citizen of ID number 9361933 and was born on 3<sup>rd</sup> September 1968 in Bungoma County. He confirmed that he does not hold dual citizenship.

#### ***Academic and Professional Qualifications***

354. The nominee holds a Bachelor's Degree in Education from the Kenya Highlands University and Certificate in Computer Packages from Christ the King Computer College. He underwent Teacher training at the Eregi Teachers Training College and Collaborative Leadership training at the Kenya Institute of Government.

#### ***Employment Record and Work Experience***

355. The nominee is the KNUT Executive Secretary – Bungoma and NEC Representative Western Region. He served as the Chairman Creative Activities and Member on the District Level Committee, Kanduyi Division, Teacher at Kibabii Mixed, Ndengelwa and Central Baptist Primary Schools in Bungoma County, KNUT Branch Executive Committee Member, Municipality Zone and Vice Chairman, KNUT Bungoma County.

#### ***Honours and awards***

356. The nominee was awarded the Certificate of Appreciation by USAID/World Vision in 2007 for his exemplary effort in the fight against HIV/AIDS within schools.

#### ***Professional Association and Memberships***

357. He is a member of the Kenya Union of Teachers (KNUT) and its National Executive Council and Christ the King Catholic Church, Bungoma. He was a member of the Bungoma County Education Board from 2011 to 2016.

#### ***Public Office, Political Activities and Affiliations***

358. The nominee submitted that he has served as an elected KNUT official in various capacities at the County and National levels.

#### ***Income and Net worth***

359. The nominee estimated his net worth to be approximately Kshs 13 million with the sources of income being salary.

#### ***Potential Conflict of Interest***

360. The nominee declared that he does not have any persons or matters that would present a potential conflict of interest. He further stated that should any conflict of interest arise, he would declare the interest in writing to the appointing authority in accordance with the law.

***Pro-bono/Charity Work/Donation to Charity***

361. The nominee is one of the sponsors of Bungoma Superstars football team where contributes at least KES 200,000 per year to assist in the running of the team. He is also a member of the Manchester United Charity team, Bungoma chapter where he contributed KES 50,000 last year to visit and assist children's homes, special schools and street children.

***Integrity***

362. The nominee submitted that he has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also stated that he has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. He informed the Committee that he is fully compliant with his tax obligations to the State. Furthermore, the nominee submitted that he has neither been charged in any court of law nor adversely mentioned in an investigatory report of Parliament or any other commission of inquiry in the last three years.

**3.17.1 Oral Submissions**

363. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee and she responded as recorded hereunder:

***On issues arising from the lack of experience in Diplomatic/Foreign Affairs***

364. The nominee stated that he has been exposed to trade fairs and conferences in the East African Region, exposing him to diplomacy. The nominee also asserted that his ability to communicate effectively will work to his advantage if approved by the committee. Further stating that he will work with the experts and the technocrats as part of his personnel for guidance on diplomatic matters. The nominee stated that having worked in the civil service for 30 years, he has been a negotiator within the teaching movement and he will use this expertise in diplomacy.

***On the issue of protecting Kenyan citizens' businesses interests in the UAE,***

365. The nominee stated that if approved by the committee he would advise the Kenyan business community to incorporate the embassy affiliated technocrats, in order to avoid getting short changed during transaction of their respective businesses. He emphasized the importance of the ambassador's involvement in the business relations between the two countries.

***On the issue of discrimination and sexual exploitation of Africans in UAE and what solution or policy interventions should be put in place***

366. The nominee expressed that he would look into means of resolving the above issues, as only few individuals share their experiences and that the possibility of more cases arising is highly likely.

***On the issue of money laundering by Kenyans in UAE***

367. The nominee stated that if approved by the committee, he would urge parliament and other relevant departments to encourage investors to invest within the precincts of Kenya.

***On the issue of transforming from activism to diplomacy***

368. The nominee was in agreement that he has been in activism for the bigger part of his career however, he would transition to diplomacy swiftly with adequate training.

***On the issue of signing memorandums with UAE, how many companies have invested in Kenya, how is the follow up done and who enforces the memorandum***

369. The nominee admitted to not having done sufficient research on UAE as he was not aware of the agreements between the two governments. He stated that if approved by the committee, he would follow up on the agreements and ensure their implementation.

### **3.17.2 Committee's determination on the Suitability of the Nominee to hold office**

370. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding his suitability for appointment as Ambassador to Abu Dhabi, UAE, that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since he is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee holds a Bachelor's Degree in Education and has undergone training in computer packages and collaborative leadership which does not directly align with diplomatic or foreign affairs.
- (3) The nominee has extensive experience in the education sector and has served in various capacities within KNUT, demonstrating leadership skills and organizational involvement.
- (4) The nominee has met the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the EACC, KRA, DCI, ORPP and HELB.
- (5) The nominee responded to questions posed by the Committee with varying degrees of clarity and insight. While he demonstrated an understanding of some diplomatic issues, such as protecting Kenyan citizens' business interests and addressing discrimination and exploitation, he showed a lack of familiarity with others, such as the status of agreements between Kenya and the UAE.
- (6) The nominee possesses a commendable dedication to community service and a commitment to transitioning to diplomacy, his academic background and lack of direct experience in diplomatic affairs may pose challenges in effectively representing Kenya's interests in Abu Dhabi, UAE. Further training and support may be necessary to adequately prepare him for the role of Ambassador.
- (7) The nominee demonstrated average knowledge of topical, administrative and technical issues touching on diplomacy. He therefore has average abilities, qualifications and experience to serve as the Ambassador to Abu Dhabi, UAE.

### **3.18 Mr. Abdi Aden Korio - Nominee for Ambassador to Muscat, Oman**

371. Mr. Abdi Aden Korio appeared before the Committee on Tuesday, 9<sup>th</sup> April 2024 at 2.30 pm and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

#### ***Citizenship, Date and Place of Birth***

372. The nominee is a Kenyan citizen of ID Number 11884705 and was born in 1973 in Garissa County. He confirmed that he does not hold dual citizenship.

#### ***Academic and Professional Qualifications***

373. The nominee is an Environment, Health and Safety Specialist with a Master's degree in Public Health from Kenya Methodist University, a Bachelor's degree in Environmental Health from Mount Kenya University, a Diploma in Community Health from KMTC and a Certificate in Community Health from KMTC, Garissa. He has also undertaken a course in Army Training from the Kenya Army Recruit School.

#### ***Employment Record and Work Experience***

374. The nominee is currently the Managing Director of Sangole Construction Company Limited since 2010. He has previously served as a Nursing Officer at MSF from March 1998 to

February 1999 and a Sergeant and Nurse in the Kenya Army from March 1999 to December. Additionally, he has been a Board Member in the National Museums of Kenya and Ewaso Ng'iro Development Authority in 2021 and 2013, respectively.

***Public Office, Political Activities and Affiliations***

375. The nominee indicated that he is not an official member of any registered political party.

***Income and Net worth***

376. The nominee estimated his net worth at approximately KES 200 million indicating his sources of income to include livestock and shareholding in a private company.

***Potential Conflict of Interest***

377. The nominee declared that he does not have any persons or matter that would present a potential conflict of interest, and should it arise, he would declare the interest in writing to the appointing authority in accordance with the law.

378. The nominee added that he would establish a framework with clear guidelines and policies for identifying potential instances of conflict of interest to address the risk through employee reviews and assessments.

***Pro-bono and Charity Work***

379. The nominee submitted that he has constructed a mosque in his local community and has been engaged in charity work by feeding the needy in his community.

***Integrity***

380. The nominee affirmed that he has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also asserted that he has never been adversely associated with practices indicating bias, favouritism, or nepotism in the discharge of public duties. He informed the Committee that he has fully complied with tax obligations to the State and has not faced any charges in any court of law neither has he been adversely mentioned in any investigatory report of Parliament or any other commission of inquiry in the last three years.

**3.18.1 Oral Submissions**

381. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee and he responded as recorded hereunder:

***On his limited experience in diplomatic/foreign affairs***

382. The nominee stated that throughout his military career, his experiences were similar to those at diplomatic missions as they involved working with people. The nominee further expressed that he had faced a lot of challenges in the army but he managed to resolve them efficiently. He stated that diplomacy entails engaging governments, conducting research and carrying out comparative studies. Therefore, he believed that being a scientific researcher made him suitable for the role of ambassador.

***On whether the nominee has worked under pressure before***

383. The nominee stated that as a military officer, he has always worked under pressure but has been able to cope with it. He went on to add that if approved, this would translate to his diplomatic career.

***On the circumstances under which the nominee left the military service***

384. The nominee stated that he left the military voluntarily, where he was a Sergeant, to take care of his ailing father.

***On Kenya's potential to export meat to Oman***

385. The nominee stated that he hosted Oman delegates while serving as a Board Member at the National of Museums in Kenya. He affirmed that history indicates that Oman has strong ties

with Kenya as they have made financial contributions towards Kenya's museums. The nominee expressed that he would carry out scientific research to identify the gaps in the market and find ways to balance trade. He added that he would involve the concerned stakeholders by inviting them to Kenya to discuss how to strengthen the relationship to enable a positive balance of trade in Kenya's favour.

***On how he would engage with former Generals in the same diplomatic position having been a Sergeant in the Kenyan army***

386. The nominee stated that the Sergeant's role in the army is just as important as the General's position. He stated that the position of Sergeant is the point at which discipline starts and stops. He added that sergeants are at the first point of engagement, during battle.

***On how the nominee will help farmers access fruit, fodder and fish markets***

387. The nominee noted that he is a research scientist and would carry out a feasibility test to identify what has not been done and consequently set suitable strategies and targets to realize increased production. He further submitted that through the coordination of agencies relating to agriculture such as the Agricultural Development Corporation, farmers would be educated on best practices to improve the quality of their produce.

***On the lack of a specific breakdown of his net worth in the questionnaire***

388. The nominee stated that he has not commissioned a valuer to assess his assets and provide an exact valuation thus, he provided only an estimate. He explained that while the properties are not generating any income, the livestock is income-generating and the revenue generated from the company facilitated his acquisition of the land and properties. He disclosed the assets that are tangible and quantifiable, adding that his projected annual income is KES 1 million.

**3.18.2 Committee's determination on the Suitability of the Nominee to hold office**

389. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding his suitability for appointment as Ambassador to Muscat, Oman that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since he is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee has a track record for good relations with Oman having interacted with Oman delegates during his time as a Board Member at the National Museums in Kenya.
- (3) Having obtained clearance from the EACC, KRA, DCI, ORPP and HELB, the nominee satisfies the requirements of Chapter Six of the Constitution.
- (4) Despite possessing limited experience in diplomatic affairs, he exhibited a willingness to leverage his skills as a Research Scientist to identify workable strategies to enhance trade relations between Oman and Kenya. Therefore, has average abilities, qualifications and experience to serve as the Ambassador to Muscat, Oman.

**3.19 Ms. Gertrude N. Angote - Nominee for Permanent Representative to UNEP**

390. Ms. Gertrude Nyausi Angote appeared before the Committee on Tuesday, 9<sup>th</sup> April, 2024 at 4.00 pm and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

***Citizenship, Date and Place of Birth***

391. The nominee is a Kenyan Citizen of ID number 20234224 and was born in Vihiga County in 1978. She confirmed that she does not hold dual citizenship.

***Academic and Professional Qualifications***

392. The nominee is currently a Masters of Law Finalist at the University of Nairobi. She holds a Certificate of Achievement from ITCILO Turin Labour Law E-Academy, a Post Graduate Diploma in Trial Advocacy from the University of Washington, a Post Graduate Diploma from the Kenya School of Law and a Bachelor of Laws Degree from Moi University.

***Employment Record and Work Experience***

393. The nominee is an award-winning, Senior Legal and Environmental Law Adviser with expertise in legal and human rights, climate justice, and governance and democracy. She has experience in legal practice, staff and partner training, research and innovation, and policy and governance. She has served as a Project Director at ILO, a Project Specialist at UNDP - Kenya, a Programme Director and Public Interest Litigator at *Kituo cha Sheria*, a Governance Board and Legal Education Expert at the Council for Legal Education - Kenya, a Policy and Legislative Drafter at various Government Ministries in Kenya as well as a Legal Officer at the Legal Advice Centre - Kenya.

***Honours and awards***

394. The nominee has several awards including the Africa NGO Leadership Award in 2016, Ford Foundation Global Travel Learning Fund to USA Award in 2018, Scholarship to the University of Washington Diploma, Trial and Advocacy in 2011, the Law Society of Kenya-Distinguished Service Award and many others.

***Professional Association and Memberships***

395. The nominee is a member of the ILO Staff Union Committee, the EALS, the LSK and FIDA. She was also a member of several other associations including the K Resident Representative Co-Talent Development Committee, the 2012 Committee on Rules to the Constitution in the Office of the Chief Justice. She indicated that she has been a Board Member of the CLE from July 2013 to July 2017, a Council Member of the LSK from 2012 to 2016, a member of the Committee on Reciprocity of the KSL from January 2013 to April 2019 and the Human Rights and Constitutional Division in Milimani Court from 2009 to 2012. Moreover, she is the founder of the African Centre of Excellence for Access to Justice, Johannesburg in 2015.

***Published Writings***

396. The nominee submitted several publications throughout her career including legislative proposals, research journals, informative reports and journals, scripts, book reviews, article reviews and supervised various postgraduate student theses.

***Public Office, Political Activities and Affiliations***

397. The nominee submitted that she does not hold a public office, nor is she affiliated with any political party or activity. She stated that in the past, she had served as a Council Member of the LSK.

***Income and Net worth***

398. The nominee estimated her net worth to be KES 100 million with the sources of income being monthly salary, income from farming, dividends and bonuses.

***Potential Conflict of Interest***

399. The nominee declared that she does not have any persons or matters that would present a potential conflict of interest, and should it arise, she would declare the interest in writing to the appointing authority in accordance with the law.

***Pro-bono and Charity Work***

400. The nominee has provided pro-bono legal services *Kituo cha Sheria*, has educated needy children, mentored young lawyers and also contributed to community development by supporting the construction of a church.



### ***Integrity***

401. The nominee submitted that she has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. She also stated that she has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. She informed the Committee that she is fully compliant with her tax obligations to the State. Furthermore, the nominee submitted that she has neither been charged in any court of law nor adversely mentioned in an investigatory report of Parliament or any other commission of inquiry in the last three years. She added that she would resolve conflict of interest by ensuring that Kenyan government decisions and priorities are not influenced by public officials and or private interests. Particularly, by determining practical solutions to areas of concern such as the implementation and enforcement gap.

### **3.19.1 Oral Submissions**

402. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee, and she responded as recorded hereunder:

#### ***On how her background and experience in human rights matters will benefit the vision of SDGs and society on matters of environment***

403. The nominee informed the Committee that, if approved, she would adhere to the established frameworks, particularly, the existing foreign policies. She referenced the Environmental Diplomacy Pillar which seeks to champion projects fostering innovation to mitigate the impacts of climate change. She highlighted UNEP's longstanding presence in Kenya, spanning over 50 years, alongside research institutions like ICIPE, ILRI, and ICRAF. Through these entities, she expressed the intention to facilitate public discourse on climate change challenges, promoting awareness and knowledge dissemination.

#### ***On the alleged under-representation of Kenya at the management level of UNEP***

404. The nominee assured the Committee of the necessity to advocate for Kenyans to secure significant roles in decision-making within UNEP. She also mentioned ongoing discussions spearheaded by the President aimed at integrating a Kenyan country programme into UNEP to ensure the employment of Kenyans and designate Kenya as a priority environmental country. The nominee pledged to develop projects that will engage citizens both domestically and internationally to ensure comprehensive representation of the country's interests.

#### ***On carbon credits***

405. The nominee informed the Committee of the ongoing debate and legislative process in Kenya regarding the country's capacity to comply with UNEP's international standards on climate change, particularly, carbon credits. She highlighted that voluntary carbon markets would enhance and bolster Kenya's trading capacity by ensuring that laws governing carbon credits adhere to international standards. She affirmed that, if approved, her office would support UNEP by advocating for laws aligned with UNEP's standards on the environment.

#### ***On the fair and equitable distribution of finances through UNEP***

406. The nominee affirmed her commitment to pursue financial support for the climate and environmental agenda. She apprised the Committee of the existing Adaptation Fund, which aids developing countries like Kenya. The fund is utilised to enhance capacity through negotiations and proposals addressing Africa's vulnerability to the effects of climate change. To ensure equitable financing, the nominee emphasized the consideration of poverty's impact on individuals and how it is exacerbated by heavy emitters.

#### ***On UNEP not being able to meet its full potential in spite of its funding***

407. The nominee acknowledged the privilege of Nairobi hosting the headquarters of UNEP. She informed the Committee of her intention to secure additional funds from the regular budget

for UNEP programmes. She also highlighted the necessity of enhancing UNEP's status within the United Nations system. The nominee pledged to augment Kenya's regional and global contributions within established frameworks, pursuing financial backing for UNEP's climate initiatives. This will involve multinational negotiations, proposals for agenda negotiations, and advocacy for equitable distribution, taking into account the impact of drought in Africa.

***On her achievement in Marsabit County***

408. The nominee submitted that she conducted a fact-finding mission in Marsabit as part of the Climate Justice Department's efforts to address public concerns. The mission was prompted by community complaints regarding widespread cancer-related deaths. The investigation revealed that contaminated water bodies served as the primary source of drinking water for the community. The contamination stemmed from post-independence oil exploration activities and the dumping of chemical waste into the soil, adversely affecting human life, livestock, and wildlife. Furthermore, recommendations were made for scientific investigations to determine liability.

***On fostering collaborations with UNEP for meaningful change concerning climate change***

409. She expressed her commitment to championing environmental diplomacy by promoting Kenya as its focal point. She acknowledged the necessity for Kenya to enhance its capacities and those of its negotiators under multilateral environmental agreements. The nominee emphasized the importance of supporting the development and utilization of technical and scientific capabilities within the country, leveraging research institutes and academia. This, she argued, would position Kenya as a leading hub for environmental leadership within the region and globally.

***On strengthening the partnership between UNEP and Kenya***

410. The nominee, aware of the existing partnership, noted the President's efforts and commitment to climate action through environment restoration projects like planting trees. She stated that she would strengthen the partnerships by working hand in hand with UNEP to also understand Kenya's financial needs including those of counties. She also informed the Committee of the support of the headquarter's function and regional presence of UNEP.

**3.19.2 Committee's determination on the Suitability of the Nominee to hold office**

411. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding her suitability for appointment as Permanent Representative to UNEP, Nairobi that:
- 1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since she is a Kenyan citizen and does not hold dual citizenship.
  - 2) The nominee has extensive knowledge and experience in environmental and climate change governance as well as international affairs having served at the ILO and UNDP. Further, the nominee is an Advocate of the High Court of Kenya with great communication and negotiation skills that are important for the effective discharge of the duties of a head of a diplomatic mission.
  - 3) The nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the EACC, KRA, DCI, ORPP and HELB.
  - 4) The nominee demonstrated exemplary knowledge of topical, administrative and technical issues touching on climate change and the environment. Her academic qualifications, understanding of environmental matters and vast experience were objectively reflected in the way she professionally articulated herself on matters related to UNEP and therefore suitable for appointment as Permanent Representative to UNEP.

**3.20 Ms. Grace Atieno Okara - Nominee for Permanent Representative to UN Habitat, Nairobi**

412. Ms. Grace Atieno Okara appeared before the Committee on Thursday, 11<sup>th</sup> April 2024 at 9.00 am and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

***Citizenship, Date and Place of Birth***

413. The nominee is a Kenyan Citizen of ID number 10843727 and was born in Nairobi County in 1971. She confirmed that she does not hold dual citizenship.

***Academic and Professional Qualifications***

414. The nominee holds a Master of Arts in Economics from the University of Nairobi, a Post Graduate Diploma in Economics from the University of London, a Master of Science in Management and Organizational Development from the United States International University and a Bachelor of Education in Arts from Kenyatta University.

***Employment Record and Work Experience***

415. The nominee has vast experience in research and policy analysis. She has worked at the CBK since 2009 where she has held various positions with the current being a Senior Researcher in the Monetary Policy Committee Secretariat. She has also served as a Senior Researcher at the African Union-African Institute for Remittances from 2018 to 2021, a Manager at the African Economic Research Consortium from 2004 to 2008, a Program Manager at the National Aids Control Council from 2002 to 2003 and an Immigration Officer at the Canadian High Commission in Nairobi.

***Honours and awards***

416. The nominee attained a First-Class Honors in her undergraduate Bachelor's degree from Kenyatta University.

***Professional Association and Memberships***

417. The nominee is a life member of three professional associations including the Centre for Corporate Governance Alumni, the American Economic Association in the USA and the Royal Economic Society in the UK. In addition, she is a member of Adventist Women's Ministries.

***Published Writings***

418. The nominee submitted that she has no published writings. However, she indicated that she had contributed to the preparation of the Diaspora Remittance Survey, 2021; the Modernization of Monetary Policy Frameworks, 2021; the CEO Survey Reports, 2024 and is currently involved in the review of the National Diaspora Policy spearheaded by the State Department for Diaspora Affairs.

***Public Office, Political Activities and Affiliations***

419. The nominee submitted that she is not involved in any political activities or affiliated with any political party.

***Income and Net worth***

420. The nominee estimated her net worth to be KES 80 million with the sources of income being salary and income from farming.

***Potential Conflict of Interest***

421. The nominee declared that she does not have any persons or matters that would present a potential conflict of interest, and should it arise, she would declare the interest in writing to the appointing authority in accordance with the law.

***Pro-bono and Charity Work***

422. The nominee has devoted time and contributed varied amounts of money to church fundraisers and payment of school fees for needy children.

***Integrity***

423. The nominee stated that she had never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. She also stated that she has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. She informed the Committee that she has fully complied with tax obligations to the State. She further indicated that she has never been charged in any court of law neither has she been adversely mentioned in any investigatory report of Parliament or any other commission of inquiry in the last three years.

**3.20.1 Oral Submissions**

424. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee, and she responded as recorded hereunder:

***On how her fifteen years of experience at the CBK has contributed in stopping the devaluation and fluctuation of the Kenyan shilling against the dollar***

425. The nominee informed the Committee of the factors influencing currency valuation, noting that demand and supply dynamics play a crucial role. She highlighted the depreciation of the Kenyan shilling since 2021, attributing it to the disruptions caused by the Russia-Ukraine conflict, which impacted global supply chains and led to increased prices of various commodities, consequently contributing to inflation worldwide.
426. Further, she explained that heightened inflation prompted many countries to raise interest rates, resulting in capital outflows from Kenya and a reduction in dollar inflows. Additionally, she noted that Kenya's repayment of over 80% of its Eurobond has significantly bolstered investor confidence. In addition, efforts by the CBK to attract inflows from partners like the IMF have further strengthened the Kenyan shilling against the dollar, resulting in its appreciation.

***On the contributions of the UN-Habitat in Kenya and on urbanization***

427. The nominee informed the Committee of the significant role played by UN-Habitat in Kenya, particularly, in their previous strategic initiatives on the slum upgrading program. She highlighted that the current strategic plan prioritises housing as a key pillar, aligning with the affordable housing agenda in the BETA. Emphasising collaboration between UN-Habitat and the government, she pledged her commitment to implementing the affordable housing pillar if approved. Furthermore, she underscored the jurisdiction of urbanization as a county-level responsibility and expressed her readiness to collaborate closely with county governments to ensure well-planned and inclusive urban settlements across the nation, should she assume the position.

***On how Kenya benefits from hosting the UN-Habitat in Nairobi***

428. The nominee highlighted Kenya's hosting of UN-Habitat as a contributor to local employment opportunities within the organisation, thereby bolstering the nation's tax revenue and GDP. Regarding the slum upgrading initiative, the nominee noted that UN Habitat's financial backing and technical counsel have been instrumental. She underscored alignment of the government's affordable housing scheme with the organisation's objectives, signifying support for national projects. If appointed, she pledged to champion the advancement of the affordable housing agenda within UN Habitat.

***On how to navigate the diplomatic role being an economist***

429. The nominee informed the Committee of her extensive experience as an economist spanning over two decades including adeptness in engaging with multilateral institutions like the UN-

Habitat. She affirmed her commitment to fostering robust stakeholder relationships within the organisation and leveraging her corporate skills to ensure increased benefits for Kenyans. Furthermore, she deemed her proficiency in resource mobilisation demonstrated by successful partnerships with various stakeholders essential for the diplomatic role. Recognising Kenya's membership on the Executive Board, which convenes biannually, she acknowledged her forthcoming role as the Kenyan Representative.

430. Additionally, she noted that the leadership of the Bureau within the Executive Board is chaired by Kenya and the significance of collaboration with the UN Secretariat. In her capacity as the Permanent Representative, she pledged to apply her corporate governance skills to provide effective leadership as Chairperson and prioritise national interests.

***On why the nominee should be approved for the position***

431. The nominee highlighted the disparity in job ranking within the UN-Habitat despite its longstanding presence in Kenya for over 40 years noting the need for more Kenyans in higher professional categories with opportunities for career advancement. If approved, she pledged to implement measures aimed at prioritising Kenya's interests including affordable housing in the organisation's new strategic plan. Leveraging her networks and collaborating with fellow Ambassadors of key development partners, she expressed her commitment to mobilising resources for affordable housing and sustainable urbanisation. Moreover, she envisaged Kenya as a model of decent housing and intimated that, if approved, she would premise the agenda on green construction in collaboration with relevant stakeholders in the construction industry and County Governments.

**3.20.2 Committee's determination on the Suitability of the Nominee to hold office**

432. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding her suitability for appointment as Permanent Representative to UN-Habitat, Nairobi that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since she is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee possesses knowledge and experience in financial management and international relations having worked at the CBK and the African Economic Research Consortium, the AU and the Canadian High Commission in Nairobi. Good financial, analytical and communication skills are instrumental in discharging the roles of a Head of Mission.
- (3) The nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the EACC, KRA, DCI, ORPP and the HELB.
- (4) The nominee exhibited exceptional knowledge of topical, administrative and technical issues touching on the United Nations Habitat. Her academic qualifications, vast experience and skills acquired during her many years as a researcher in policy analysis objectively demonstrate her capability and competency in executing the roles of a Permanent Representative to the UN-Habitat.

**3.21 Dr. Fancy Too - Nominee for Ambassador/Permanent Representative to Geneva, Switzerland**

433. Dr. Fancy Chepkemoi Too, PhD appeared before the Committee on Thursday, 11<sup>th</sup> April 2024 at 10.00 am and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

***Citizenship, Date and Place of Birth***

434. The nominee is a Kenyan Citizen of ID Number 23303951 and was born in Kericho County in 1983. She confirmed that she does not hold dual citizenship.

***Academic and Professional Qualifications***

435. The nominee holds a Doctoral of Philosophy in Laws from Nottingham Trent University in the UK, a Master of Laws from Nottingham Trent University in the UK, a Post-Graduate Diploma in Law from the Kenya School of Law, and a Bachelor of Laws from Moi University.

***Employment Record and Work Experience***

436. The nominee is the current Chairperson of the National Environmental Complaints Committee and a Senior Lecturer and Director at Strathmore University Graduate Programs, School of Law. The nominee has previously served as a Director at the KRA from January to December 2023, an External Examiner of Egerton University Law School and the Dean at Kabarak University Law School from 2017 to 2021. Additionally, she has served as an Associate Dean, Head of the Private Law Department and Lecturer at Kabarak University.

***Honours and awards***

437. The nominee was awarded the MBS in 2023 and also won the UK Prestigious Award for PhD in Laws at Trent University.

***Professional Association and Memberships***

438. The nominee submitted that she is a member of the LSK.

***Published Writings***

439. The nominee submitted that she has several publications on various topics on corporate restructuring published in the Journal of Commercial Law, on Kenya's Insolvency Act of 2015 published in the Kabarak University Journal and her LLM and PhD thesis on insolvency matters.

***Public Office, Political Activities and Affiliations***

440. The nominee also submitted that she is a member of the UDA Party.

***Income and Net worth***

441. The nominee estimated her net worth to be KES 89 million with the sources of income being salary from Strathmore University, board allowance, farming, transport businesses and dividends.

***Potential Conflict of Interest***

442. The nominee declared that she does not have any persons or matters that would present a potential conflict of interest, and should it arise, she would declare the interest in writing to the appointing authority in accordance with the law.

***Pro-bono and Charity Work***

443. The nominee submitted that she engages in legal aid at Nakuru Prisons, payment of school fees for the needy in high school in Kipkelion and motivational speaking in several high schools in Kericho County.

***Integrity***

444. The nominee stated that she had never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. She also stated that she has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. She informed the Committee that she had fully complied with tax obligations to the State and had never been charged in any court of law or been adversely mentioned in any investigatory report of Parliament or any other commission of inquiry in the last three years.

### 3.21.1 Oral Submissions

445. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee, and she responded as recorded hereunder:

***On being fired as a board member of KRA due to missed target of revenue collection***

446. The nominee informed the Committee that she was not fired from KRA but rather promoted to a different role as Chairperson of the National Environmental Complaints. She further noted the parameters used to set the targets of revenue collection were misguided and miscalculated and that during her tenure, she managed to collect more revenue than what the KRA had collected the previous year. She added that before her exit from the KRA, the Board formulated strategies to mitigate different challenges that come up with revenue collection.

***On potential conflict of interest being a member of the UDA Party***

447. The nominee confirmed that she is a member of the UDA Party which is a guaranteed constitutional right for every Kenyan and does not in any way jeopardize her appointment. She added that there is no potential conflict of interest and if it occurs, she would take the necessary steps to handle it.

***On lack of a specific breakdown of sources of income in the duly filled questionnaire***

448. She stated that she did not specify figures on deferred income because she had not engaged a valuer to know the worth of her assets or their market value. She added that some assets are family-owned.

***On Geneva's Importance to the UN and the nominee's limited experience in diplomatic affairs***

449. The nominee submitted that Geneva is a multilateral centre that is crucial to the functions of the UN. She stated that despite having no direct connection with diplomacy, she has administrative and leadership experience, is a trained lawyer who has taken different courses on strategic negotiation and having studied international law during her LLB undergraduate program she is versatile and can fit anywhere hence, is suitable for the job.

***On the current UN Director General in Geneva and the difference between an ambassador and a permanent representative***

450. The nominee stated that she does not know the current UN Director General, however, it was noted he is Tatiana Valovaya. She stated that an ambassador focuses on bilateral engagements while a permanent representative is involved in representing the sending country in particular agencies such as the UN.

***On major achievements in her legal profession***

451. The nominee submitted that she was the first female Kalenjin PhD holder in Law amid all the struggles she faced during her schooling days. She also stated that she shaped law studies at Strathmore University despite facing some challenges.

***On language barrier***

452. The nominee stated that there are different languages used in Geneva and the UN at large with English as the most widely used which she is proficient in. She also affirmed to the Committee that as permanent representative, it is not that necessary to know other languages. She further stated that she would take lessons at the Foreign Affairs Academy on other languages if necessary

***On the imbalance of trade with Switzerland***

453. The nominee stated that the office in Geneva deals with multilateral interests rather than bilateral interests while her role is on multilateral interests. However, she offered to support any mission or perform any duty if allowed.

***On the recruitment of revenue service assistants and the High Court declaring the process unconstitutional***

454. The nominee submitted that while at KRA, the Board had to come up with strategies to meet the revenue collection target and hence the decision to recruit low-cadre enforcement officers. She stated that there is the role of the Board and that of the management and as a Board, they gave out instructions and allowed the management to execute them. She further stated that the issue was not brought to the attention of the Board to warrant a change of strategy and that it was not a failure of oversight on the side of the Board.

***On the supposed waste of talent as a diplomat while being an accomplished lawyer***

455. The nominee stated that being a diplomat presents her with a good opportunity for her to practice what she has learnt over the years as an academician. She noted that it is a great honour to serve the country and gain experience in a new field. She further reiterated to the Committee that she is a natural leader with an immense passion to serve. She concluded by pledging that, if approved, she would do her best as Permanent Representative.

**3.21.2 Committee's determination on the Suitability of the Nominee to hold office**

456. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding her suitability for appointment as Permanent Representative to Geneva, Switzerland that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since she is a Kenyan citizen and does not hold dual citizenship.
- (2) While the nominee possesses limited experience in diplomatic affairs, she demonstrated that as an Advocate of the High Court and academician she has gained invaluable knowledge and experience in organizational leadership and management which are significant skills in the discharge of the role of permanent representative.
- (3) The nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the EACC, KRA, DCI, ORPP and HELB.
- (4) The nominee disclosed her membership in the UDA Party but assured the Committee that her political affiliation would not interfere with her duties as Ambassador. The Committee noted that while the nominee is a member of UDA, she does not hold office in the party as required by Article 77(2) of the Constitution. The Committee further noted that Article 38(1) of the Constitution provides that every citizen is free to make political choices, which includes the right to participate in the activities of a political party.
- (5) The nominee exhibited enthusiasm for the new role and commitment to serving the Republic of Kenya. Her devotion paired with her knowledge and experience translates to the requisite abilities and qualifications to serve as a Head of Mission.

**3.22 Mr. Ekitela Erastus Lokaale-Nominee for Permanent Representative to United Nations, New York, USA**

457. Mr. Ekitela Erastus Lokaale appeared before the Committee on Thursday, 11<sup>th</sup> April 2024 at 11.00 am and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

***Citizenship, Date and Place of Birth***

458. The nominee is a Kenyan Citizen of ID number 20685307 and was born in the year 1978 in Turkana. He confirmed that he does not hold dual citizenship.

***Academic and Professional Qualifications***



459. The nominee holds an LLM in International Development Law and Human Rights from the University of Warwick in the UK, an LLB from the University of Nairobi and a Post-Graduate Diploma in Law from the KSL.

***Employment Record and Work Experience***

460. The nominee is currently the Coordinator and Head of the Presidential Secretariat on the South Sudan Peace Process under the State Department of Foreign Affairs since January 2024. He has previously served as a Climate Change Advisor in the Ministry of Foreign and Diaspora Affairs from July to December 2023 and a Managing Partner in the Northern Consulting Solutions since September 2022.

461. Furthermore, he has served as the Speaker of the County Assembly of Turkana from 2017 to 2022, a Programme Manager and Programme Specialist in UNDP-Kenya from 2014 to 2017 and 2009 to 2014, respectively. The nominee has also served as a Human Rights Officer at Oxfam NOVIB-Somalia Programme from 2007 to 2008, a Programme Officer at KHRC from 2004 to 2006 and at CEMIRIDE from 2002 to 2004.

***Honours and awards***

462. The nominee was awarded the Chevening Scholarship Award in 2006.

***Professional Association and Memberships***

463. The nominee is a member of the LSK and the Chevening Alumni Association. He was also an Executive Committee Member of the Turkana Professionals Association from 2005 to 2013, a Co-Chair of the Somali Support Secretariat which hosted the Human Rights and Gender Working Group in 2008, a Deputy Lead Donor of Uraia Kenya's National Civic Education Programme and the Chairperson of the Frontier Counties Development Councils's County Assemblies Speakers' Caucus from 2017 to 2022.

***Published Writings***

464. The nominee submitted that he has several publications on various subjects including the bottom-up approach in addressing climate change, the challenges of regional integration in developing countries, genocide crimes by the Ugandan Army against Turkana and judicial perceptions on sexual violence and customary law.

***Public Office, Political Activities and Affiliations***

465. The nominee indicated that he has previously been a member of the UDA, Jubilee and ODM Parties but does not currently hold any position in any political party.

***Income and Net worth***

466. The nominee estimated his net worth to be KES. 150 million with sources of income being consultancy fees, rental income and income from hotel business.

***Potential Conflict of Interest***

467. The nominee declared that he does not have any persons or matters that would present a potential conflict of interest, and should it arise, he would declare the interest in writing to the appointing authority in accordance with the law.

***Pro-bono and Charity Work***

468. The nominee is involved in charity work for various church projects in Turkana, paying school fees for needy students and supporting social projects such as health, schools, water and elderly peoples' homes. He also is a volunteer advocate at *Kituo cha Sheria*.

***Integrity***

469. The nominee stated that he had never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also stated that he has never been adversely associated with practices that depict bias, favouritism, or nepotism in the

discharge of public duties. He informed the Committee that he had fully complied with tax obligations to the State and has never been charged in any court of law or been adversely mentioned in an investigatory report of Parliament or any other commission of inquiry in the last three years.

### **3.22.1 Oral Submissions**

470. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee and he responded as recorded hereunder:

#### ***On the ongoing conflict between Israel and Hamas***

471. The nominee emphasized the need to stop the ongoing violations of human rights and the need to reform the multilateral system. He also indicated that the UN has recently adopted a resolution aimed at providing humanitarian aid to those impacted by the crisis. This resolution will also involve taking immediate actions to address the ongoing conflicts in Khartoum, Sudan and similar situations in other countries.

#### ***On why the nominee should be considered for this position***

472. The nominee expressed confidence in his suitability for the role, attributing this to his comprehensive understanding of the UN's operational framework and clear insights into its policies. He also highlighted his extensive knowledge of Kenya's diplomatic strategies and his expertise in issues related to peace and security.

#### ***On the EACC investigations on the alleged embezzlement of car and mortgage funds in Turkana County Assembly***

473. The nominee clarified that the wording used in the EACC investigation was not precise, leading to a misrepresentation of the facts. He emphasized that he had no involvement in the car and mortgage schemes in question, asserting that his ethical standing remains unblemished.

#### ***On the nominee's article titled 'Uganda Army Committing Genocide Against Turkana'***

474. The nominee noted that he authored the article during his postgraduate studies at the University of Warwick in the UK and was a product of his academic pursuits. If approved for this position, he confirmed that he would refrain from publishing similar articles in adherence to the stipulations set forth by the Vienna Convention on diplomatic relations governing such activities.

#### ***On the inclusion of Kenya as a permanent member in the UN Security Council***

475. The nominee expressed a commitment to actively engage in dialogue aimed at reforming the structure of the UN and working towards broadening its membership. He also highlighted Kenya's distinguished role as a member of the Committee of Ten, emphasizing the country's unique position in these discussions.

#### ***On the skills gained while serving at the UNDP***

476. The nominee mentioned that the expertise he developed during his tenure with UNDP, Kenya equips him well for this diplomatic role. He stated that he is committed to not only representing his country but also the global community and the Turkana community, demonstrating his dedication to a broad spectrum of representation.

### **3.22.2 Committee's determination on the Suitability of the Nominee to hold office**

477. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding her suitability for appointment as Permanent Representative to the UN, New York that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a State Office since he is a Kenyan citizen and does not hold dual citizenship.

- (2) The nominee demonstrated an extensive grasp of knowledge in diplomatic and foreign relations having long served in the Ministry of Foreign and Diaspora Affairs and international organizations such as the UNDP.
- (3) The nominee displayed a readiness to adhere to the set international principles on diplomatic relations as prescribed in the Vienna Convention.
- (4) The nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the KRA, DCI, ORPP and HELB. However, the nominee has a pending investigation with the EACC concerning the alleged embezzlement of car and mortgage funds in Turkana County Assembly. Pursuant to Article 157 (6) of the Constitution, the ODPP is the office that is required to prosecute the matter in a court of law if in receipt of a file with sufficient evidence to sustain prosecution from the EACC. According to Article 50(2)(a) of the Constitution every person including the nominee herein has a right to be presumed innocent until declared guilty.
- (5) The nominee was articulate and demonstrated an impressive knowledge of topical, administrative and technical issues touching on the Office of the Permanent Representative to New York, USA and has the requisite abilities, qualifications and experience to serve in the office.

**3.23 Mr. Ezra Chiloba - Nominee for Consul-General to Los Angeles, USA**

478. Mr. Ezra Chiloba appeared before the Committee on Thursday, 11<sup>th</sup> April 2024 at 12.00 noon and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

***Citizenship, Date and Place of Birth***

479. The nominee is a Kenyan Citizen of ID number 21744822 and was born in 1978 in Kwanza, Trans-Nzoia County. He confirmed that he does not hold dual citizenship.

***Academic and Professional Qualifications***

480. The nominee holds a Master of Science in Major Programme Management from the University of Oxford in the UK, a Master of Arts in Public Policy from Central European University in Hungary, an LLM from the University of Nairobi, a Certificate in International Public Policy from the Central European University in Hungary, an Artificial Intelligence Programme and a Blockchain Strategy Programme at the University of Oxford in the UK.

***Employment Record and Work Experience***

481. The nominee served as the Director General and CEO at the CA, the CEO/Commission Secretary at IEBC and a Principal Partner at Chil and Kemp Strategies Ltd.

482. The nominee has significant experience in international humanitarian and advocacy organizations dealing with governance and electoral systems and processes as well as matters relating to human rights. He has served as a Programme Analyst at the UNDP, a Programme Officer at Oxfam NOVIB, and a Human Rights Officer at KHRC. He also served as a Research and Coordination Officer at South Consulting Limited and a Programme Officer at the CEMIRIDE.

***Honours and awards***

483. The nominee has received several awards including the Top 40 under 40 by the Business Daily Newspaper for public sector leadership in 2015, Outstanding Performance by the UNDP Kenya from 2009 to 2013, the CEU Fellowship Award for a Master's degree in Public Policy in 2007, ABN Scholarship Award for a two-week environmental rights course in Bija

Vidyapeeth College in India and the ABN Travel Grant Award for a one-week experiential learning in Gaborone, Botswana in 2005.

***Professional Association and Memberships***

484. He is a member of the LSK and has served as a Board member for the Youth Enterprise Development Fund.

***Published Writings***

485. The nominee has several publications on various themes including access to information, new technological platforms to promote citizen participation and a comparison of the scope of rights and freedoms in the Draft Bill of Rights and Kenya's Bill of Rights in 2008. He indicated that he has been involved in the preparation of numerous reports on electoral issues including boundary delimitation and electoral technology readiness.

***Public Office, Political Activities and Affiliations***

486. The nominee submitted that he has never been an official of any political party.

***Income and Net worth***

487. The nominee estimated his net worth as KES 800 million mostly in fixed assets and shareholding in a company and his sources of income being salary, court's decretal sum and agribusiness sales.

***Potential Conflict of Interest***

488. The nominee declared that he does not have any persons or matter that would present a potential conflict of interest, and should it arise, he would declare the interest in writing to the appointing authority in accordance with the law.

***Pro-bono and Charity Work***

489. The nominee has been involved in pro bono work in resolving land disputes in his village and charity work involving mobilizing book donations to secondary schools including Kwanza Friends School in Trans Nzoia County and Keringet Secondary School in West Pokot County. He has also been involved in presenting awards to top KCSE candidates at Kapkai Secondary School as part of fostering a culture of high performance.

***Integrity***

490. The nominee stated that he has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also stated that he has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. He informed the Committee that he has fully complied with tax obligations to the State and has never been charged in any court of law in the last three years. However, the nominee indicated that he has, to an extent, been adversely mentioned in an investigatory report of Parliament relating to IEBC and an audit report relating to CA.

**3.23.1 Oral Submissions**

491. To assess the nominee's overall suitability for the position, the Committee posed questions to the nominee, and he responded as recorded hereunder:

***On a huge net worth despite having always worked in the public sector***

492. The nominee submitted that he was fortunate enough to start earning an income while still a student. He added that that afforded him an opportunity to work with good employers such as the IEBC and UNDP where he was earning decent salaries. He further stated that he has since invested heavily in land, particularly in avocado farming in Trans Nzoia County hence his net worth.

***On doubts about his personality in relation to the sagas while serving at the IEBC and CA***

493. The nominee clarified that the controversy around his exits is not a true reflection of who he is. He added that concerning the CA, the board members submitted a petition for removal to the EACC and upon investigation, he was found innocent and cleared of all the allegations. He further indicated that the allegations were a misrepresentation of facts and that he was not even allowed to explain himself and was instead suspended from office upon preparation of the adverse reports.

494. Relating to the IEBC, the nominee submitted that during his term there was a transition of the membership of the Commission thus presenting difficulty in the execution of its vision. He, however, stated that he did his best to reform the Commission. Furthermore, he noted that the nature of the subject matters of the IEBC and CA are sensitive and therefore prone to vast public scrutiny.

495. Moreover, he indicated that he has previously worked with six boards, three of which he had no issues whatsoever including the boards during the tenure of Ahmed Issack as IEBC Chairperson, Kembi Gitura as CA Chairperson and Captain Gilbert Kibe as CA Chairperson. Despite the foregoing, he was of the view that he has a great track record of performance at the CA and that he would exhibit the same as the consul general at Los Angeles, USA.

***On presentation of credentials as consul general***

496. The nominee noted that there are three diplomatic missions in the USA including the embassy in Washington DC headed by an ambassador; the mission in New York City, home of the United Nations; and the mission in Los Angeles. He added that only the ambassador of the Kenyan Embassy in Washington DC is required to present his credentials to the Head of State. The consul general is only a state affair.

***On leveraging the entertainment opportunities in Hollywood in Los Angeles***

497. The nominee noted that Los Angeles is a global top-tier entertainment centre in the world and presents numerous opportunities in the creative world. In comparing the talent in Hollywood to Kenya, he was of the view that Kenya should shift its focus from Hollywood to the second and third tiers in the entertainment industry in making Kenya a filming destination and thereafter explore the opportunities in Hollywood. He further noted that it is significant to create awareness locally of the opportunities available in the global entertainment industry and that the Ministry of Youth and of ICT should leverage the said opportunities.

***On delayed visas for students in Los Angeles***

498. The nominee acknowledged the challenges students undergo in obtaining visas and attributed the issue of delayed visas to a policy shift in the USA affecting the entire globe. He added that the Ministry of Foreign Affairs had already embarked on high-level discussions to realize viable solutions to fast-track visa issuance to Kenyan students. He stated that, if approved, he was willing to work with the relevant offices to resolve the issue.

***On his thoughts on amending the law to provide for the conduct of by-elections by the CEO and Secretariat in the absence of a Commission***

499. The nominee indicated the operational structure of the IEBC is anchored in law and that while the Constitution mandates the power to conduct elections to the Commission, the enabling statute vests great power with the CEO. It was his submission that this has caused a lot of tension between the two. He also noted that changing the law to provide for the CEO and Secretariat to conduct elections may only exacerbate the conflict between the CEO and the Commission and requires long-term deliberations to resolve. Furthermore, he noted that amending the statute would necessitate an amendment to the Constitution. Consequently, he gave an example of how other jurisdictions such as Ghana handle electoral processes. He,

therefore, recommended that an elaborate consultation be conducted to come up with a feasible way forward.

***On how to balance the duties of the Consul-General and his agricultural businesses in Kenya***

500. The nominee acknowledged that he spends a lot of time on his farm in Kitale but has over time institutionalized a capable team of professionals to undertake the core management of his farming business. He added that he cultivates long-term crops such as avocados that do not require intensive crop husbandry and would therefore be able to effectively discharge his diplomatic duties if approved. He also noted that California is the greatest producer of hass avocados in the USA and much can be learnt from California.

***On labour migration and digital opportunities for the youth in line with the Government's agenda***

501. The nominee noted that having examined the data on opportunities in labour migration in the USA and the dwindling rate, he recommended leveraging on the low-hanging fruits such as the increased demand for nurses. There is established a testing centre for nurses seeking job opportunities in the USA and Kenya can exploit these opportunities. Regarding the digital economy, he stated that he would be willing to work with Konza Technopolis to leverage the Silicon Savannah. Similarly, he submitted that he would work with the Ministry of Labour and of Education on the providence of skilled manpower to boost entry to the USA for Kenyans.

***On possessing the same attributes as indicated in the recommendation letter dated 12<sup>th</sup> November 1998 from his high school principal, Mr Felix Nyukuri***

502. The nominee believed that he still possessed the same attributes including high intelligence. He added that personal excellence is his driving force.

***On the public's perception of him despite having been cleared by the EACC***

503. The nominee noted that while integrity is a fundamental value, so is justice and fairness. He submitted that he had once before conducted a survey of the public's perception of him and found that about 47% believed him to be a national ICT guru in electoral outcomes, while others just regarded him as a CEO and a few related him to the 2017 IEBC elections issues. Resultantly, he intimated that it is okay for people to have perceptions about you but he only cares about those that are known to him.

504. Furthermore, he believed that the appointing authority believed in his integrity hence his nomination as consul general. He added that his long-standing career in public service has enabled him to identify how best to serve the government. Additionally, he submitted that following the IEBC saga, he had sued the Commission and sometime in 2023 the court awarded the prayers he sought. He added that the court found that he is a wronged man and vindicated him.

***On him being suited for the position***

505. The nominee affirmed that he has had a long-standing career of nineteen years in public service where he has worked with both regional and global governments thus amounting to the requisite experience to serve as consul general. He also stated that his ICT skills, particularly, in artificial intelligence and blockchain paired with his passion for technology and agriculture is fundamental to the role in light of the technological and agricultural opportunities in Los Angeles and California. Artificial Intelligence Programme and Blockchain Strategy Programme at the University of Oxford, UK.

### **3.23.2 Committee's determination on the Suitability of the Nominee to hold office**

506. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding his suitability for appointment as Consul-General to Los Angeles, USA that:

- (1) The nominee is eligible for appointment to a State Office since he is a Kenyan citizen and does not hold dual citizenship as provided in Article 78(1) and (2) of the Constitution.
- (2) The nominee has extensive knowledge and experience in international relations having served in international organizations such as the UNDP and the Oxfam NOVIB.
- (3) The nominee further exhibited a good understanding and expertise on how best to put into practice his knowledge and expertise on technology to improve trade relations between the USA and Kenya, particularly on leveraging the digital opportunities in Los Angeles. He holds certifications in Artificial Intelligence and Blockchain Strategy.
- (4) The nominee, being a holder of a Master of Science in Major Programme Management, a Master of Arts in Public Policy and a Bachelor of Law (LLB), has adequate grounding in International Law and Public Policy that will be crucial in performance of the roles of Consul-General to Los Angeles, USA.
- (5) The nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the EACC, KRA, DCI, ORPP and HELB. However, the nominee was adversely mentioned in the *Report on the Examination of the Report of the Auditor-General on the Financial Statements for the IEBC for the Year Ended 30<sup>th</sup> June 2017* and an internal audit report relating to the Communications Authority of Kenya. In both instances, the nominee was cleared of any wrongdoing by competent authorities.
- (6) The nominee demonstrated impressive knowledge of topical, administrative and technical issues touching on diplomacy and has the requisite abilities, qualifications and experience to serve as the Consul-General of Los Angeles, United States of America.

**3.24 Mr. Charles Githinji Keiru - Nominee for Consul-General to Goma, DRC.**

507. Mr. Charles Githinji Keiru appeared before the Committee on Thursday 11<sup>th</sup> April 2024 at 2.00 pm and was vetted under oath pursuant to Article 132 (2) (e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

***Citizenship, Date and Place of Birth***

508. The nominee is a Kenyan Citizen of ID number 22140302 and was born on 4<sup>th</sup> April 1979 in Nairobi County. He confirmed that he does not hold dual citizenship.

***Academic and Professional Qualifications***

509. The nominee holds a Kenya Certificate of Secondary Education.

***Employment Record and Work Experience***

510. The nominee served as a Service Station Retailer at Shell and Kenol-Kobil Gas Stations from 2015 to 2022 and 2012 to 2015, respectively. He also worked as co-director in Ruaraka Choma Inn from February to November 2005 and a Sales Assistant in UNGA Limited from March to September 2004 and in Kenya Breweries Limited from 2002 to 2003.

***Public Office, Political Activities and Affiliations***

511. The nominee submitted that he has never been an official of any political party.

***Income and Net worth***

512. The nominee estimated his net worth as KES 13.5 million comprising fixed and movable assets with his source of income as business.

***Potential Conflict of Interest***

513. The nominee declared that he does not have any persons or matter that would present a potential conflict of interest, and should it arise, he would declare the interest in writing to the appointing authority in accordance with the law.

***Pro-bono and Charity Work***

514. The nominee is involved in charity work through donations of food stuff and clothing to *Mji wa Huruma* and Mogra Children's Home.

***Integrity***

515. The nominee stated that he has never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also stated that he has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. He informed the Committee that he has fully complied with tax obligations to the State and has never been charged in any court of law or been adversely mentioned in any investigatory report of Parliament or any other commission of inquiry in the last three years.

**3.25.1 Oral Submissions**

516. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee and she responded as recorded hereunder:

***On the lack of experience in diplomatic/foreign affairs***

517. The nominee stated that he was willing to further his education through the Foreign Service Academy to be better informed on matters of diplomacy. He admitted that he has no experience whatsoever in diplomacy, but that he would attend relevant education and training programmes to ensure he is best suited for the role.

***On whether the nominee has a certificate because it was not presented to the Committee***

518. The nominee stated that the college which he attended in Kasarani for his Certificate in Business Management was not approved by the Kenya National Examinations Council and was therefore unable to sit for examinations upon completion of his studies.

***On lack of education credentials and his only experience being running petrol stations***

519. The nominee stated that, if approved, he would be willing to learn through experience and that he would endeavour to go back to school in order to be well suited for the role.

***On ways to better relations between DRC and Kenya and whether the nominee is conversant with the EACRF***

520. The nominee informed the committee that he does not know about the EACRF.

***On the issue of a harmonious DRC***

521. The nominee stated that the KDF were withdrawn but the former President is still involved in the mediation process in the eastern DRC region.

***On the issue of what it entails to be consular general***

522. He stated that it is to facilitate and help Kenyans who are working in the DRC and to support them with their documentation.

***On the issue of his insolvency***

523. The nominee stated that he can pay off his mortgage with ease, hence this would not be a challenge if approved by the Committee.

***On the nominee's basic knowledge of the DRC***

***(a) The second largest city in DRC***

524. The nominee's answer was Lubumbashi.

***(b) Countries that border DRC***



525. The nominee named the following countries: Malawi, Zambia, Uganda and Rwanda.

**(c) Definition of GDP and the balance of trade**

526. The nominee stated that his understanding of GDP is the population of the country. On the balance of trade, he stated that it entails Kenya's exportation of agricultural produce to the DRC and that he would work closely to support Kenyans as far as trade is concerned.

**(d) On the languages spoken in the DRC**

527. The nominee stated that Kiswahili, Congolese and French are the spoken languages in DRC. He added that the language barrier would not interfere with his diplomatic roles.

**(e) On whether the DRC borders Kenya**

528. The nominee's answer was no.

**(f) The name of the head of the Kenyan mission in the DRC**

529. The nominee's answer was Col. Shem Amadi.

**On whether he would present his credentials to the Head of State in DRC**

530. The nominee stated that he would consult the Ambassador at Kinshasa on where to present his credentials. He was thereafter corrected by the Committee that consuls-general do not present their credentials to the receiving state.

**On the issue of whether he lobbied for his nomination**

531. The nominee stated that he did not lobby in any way for his position. The Committee informed the nominee that he could decline the nomination, as he is not conversant or knowledgeable in matters of diplomacy. However, it was noted that the Constitution does not require that a Kenyan diplomat should have any academic qualification. It was, however, expressed that it would be unfair for diplomats within the Kenyan foreign service whose career has been stagnant, to see the nominee bypass them.

**On his sources of income**

532. The nominee estimated his annual income to be KES 9.6 million.

**On the issue of being an accounting officer despite scoring an E in Mathematics**

533. The nominee submitted that he is a believer in learning and they were taken through an induction. He aims to go to the Foreign Affairs Academy.

**3.25.2 Committee's determination on the Suitability of the Nominee to hold office**

534. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding his suitability for appointment as Consul-General to Goma, DRC that:

- (1) The nominee is eligible for appointment to a State Office since he is a Kenyan citizen and does not hold dual citizenship in accordance with Article 78(1) and (2) of the Constitution.
- (2) The nominee's highest level of education is high school and he holds a Kenya Certificate of Secondary Education. The nominee does not hold a Certificate in Business Management as indicated in his curriculum vitae.
- (3) The nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the DCI, EACC, HELB, KRA and the ORPP.
- (4) The nominee has not demonstrated any efforts to further his education beyond high school. Further, it was clear that the nominee did not adequately prepare for the approval hearing and demonstrated a considerable lack of knowledge of the expected duties of a Consul-General and the station to which he was nominated to serve in. Pursuant to Section 7 (c) of the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Committee is required to consider the suitability of the nominees for the proposed

appointment having regard to whether the nominees' abilities, experience and qualities meet the needs of the body to which the nomination is being made. The nominee herein is not suitable to be appointed to serve as Consul-General to Goma, DRC on the grounds that he does not possess the requisite qualities, knowledge, abilities and experience.

### **3.25 Amb. Moi Lemoshira - Nominee for Ambassador to Tokyo, Japan**

535. Amb. Moi Lemoshira appeared before the Committee on Thursday, 11<sup>th</sup> April 2024 at 3.00 pm and was vetted under oath pursuant to Article 132 (2) (e) of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

#### ***Citizenship, Date and Place of Birth***

536. The nominee is a Kenyan Citizen of ID number 10883552 and was born in 1971 in Kajiado County. He confirmed that he does not hold dual citizenship.

#### ***Academic and Professional Qualifications***

537. The nominee holds a Master of Arts in Diplomatic Studies from the University of Leicester in the UK, a Bachelor of Arts from Egerton University in Njoro, and a Kenya Advance Certificate of Education and Ordinary Level Certificate of Education from Lenana School in Nairobi.

#### ***Employment Record and Work Experience***

538. The nominee has vast experience in foreign service having served in various diplomatic missions and the Ministry of Foreign Affairs Headquarters. He is the Director General of Foreign Service for Political and Diplomatic Affairs in the State Department for Foreign Affairs since September 2023. He has served as Kenya's Ambassador to Algeria and Mali as well as held leadership roles in the diplomatic missions in Addis Ababa in Ethiopia, Dublin in Ireland, Bangkok in Thailand, and Kuala Lumpur in Malaysia between 2004 and 2019.

539. He has also served as the Acting Secretary in the Foreign Service Administration, Director in the Office of a Principal Secretary from July 2021 to October 2022, as Deputy National Security Advisor in the Executive Office of the President from December 2022 to May 2023, Deputy Political and Diplomatic Secretary in the Ministry of Foreign Affairs from January 2013 to July 2014, Chief of Staff in the Office of the Cabinet Secretary and First Secretary to various Ministers and Permanent Secretaries in the Ministry of Foreign Affairs from May 2019 to June 2021.

#### ***Professional Association and Memberships***

540. The nominee indicated that he was awarded with the Moran of the Burning Spear (MBS) for outstanding diplomatic service in advancing Kenya's national interests in December 2022. He is a member of the Imbilin Education Support Programme in Kinyewa-Poka, Kajiado County.

#### ***Published Writings***

541. The nominee has published an article titled 'Uhuru Kenyatta's visit to Barbados marks new horizon for Pan-Africanism' in the Kenya Daily Nation Kenya on 4<sup>th</sup> October 2021.

#### ***Professional Association and Memberships***

542. The nominee submitted that he is a member of the Golden Valley Livestock Cooperative Society Limited.

#### ***Public Office, Political Activities and Affiliations***

543. The nominee submitted that he has never been an official of any political party.

#### ***Income and Net worth***

544. The nominee estimated his net worth to be approximately Kshs. 230 Million with the sources of income being civil service remuneration and allowances and agricultural investments.

#### ***Potential Conflict of Interest***

545. The nominee declared that he does not have any persons or matters that would present a potential conflict of interest, and should it arise, he would declare the interest in writing to the appointing authority in accordance with the law.

***Pro-bono and Charity Work***

546. The nominee voluntarily supports education and societal welfare initiatives through the payment of fees for students at various levels of education and helps to improve the livelihoods of needy communities.

***Integrity***

547. The nominee stated that he had never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also stated that he has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. He informed the Committee that he had fully complied with tax obligations to the State and had never been charged in any court of law or been adversely mentioned in any investigatory report of Parliament or any other commission of inquiry in the last three years.

**3.25.1 Oral Submissions**

548. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee and he responded as recorded hereunder:

***On the question of the nominee's take regarding Vienna's diplomatic relations convention of missions directly engaging with MDAs***

549. The nominee affirmed that adhering to the Vienna Convention's guidelines for diplomatic engagement with MDAs is indeed the correct approach to managing foreign relations.

***On the nominee's major achievements***

550. The nominee recounted his diplomatic experiences across various levels within Kenyan missions in Ethiopia, Ireland, Thailand and Malaysia. He also stated that he had taken the responsibility of managing the personnel directory in line with Kenya's foreign policy.

***On the list of the missions the nominee has served in***

551. The nominee highlighted his extensive experience with international missions specifically noting assignments in Ireland and Algeria. He also detailed Ethiopia's mission success in forging partnerships such as the collaboration with Safaricom. The nominee also mentioned that the work in Ireland was marked by the successful registration of organizations and other entities.

***On the role of the nominee and how he would enhance performance if approved***

552. The nominee mentioned that under his direction, the Kenyan Embassy in Tokyo will be established as a centre for technology, with a focus on areas such as cybersecurity and other advanced technological fields. He also reflected on his recent experience accompanying the President on a trip to Japan and his commitment to pursuing the initiatives that were discussed during that visit. The nominee also plans to explore educational opportunities for Kenyans in fields like engineering and ICT in Japan. Furthermore, he intends to facilitate the local manufacturing of motor vehicles in Kenya, aiming to shift from importation to domestic production.

***On the lack of trust by Kenyans in Japan towards embassies and his commitment towards rebuilding this trust***

553. The nominee proposed the creation of ambassadorial advisory groups consisting of Kenyans and the implementation of e-services for streamlined document processing aimed at improving the embassy's efficiency and responsiveness to the needs of Kenyans in Japan.

***On the challenges faced and the mitigation measures***

554. The nominee recognized the lack of necessary support in foreign missions and advocated for increased investment in missions abroad to fulfill its objectives more effectively. He also recommended providing orientation programs to help Kenyans adapt to Japan's culture to address culture shock. He also noted the intense competition from other countries and emphasized the need for a united and collaborative approach to stand out and succeed.

***On the question of integrity***

555. The nominee asserted that his integrity has always remained intact and unchallenged. He takes pride in being a nominee for the foreign service, maintaining a personal and professional standard of integrity that guides his performance.

***On the nominee's plans to facilitate easier access for Kenyans to travel to Japan***

556. The nominee committed to enhancing government-to-government partnerships and developing the skills of Kenyans to align with the employment standards required in Japan. He also aims to promote cultural diplomacy by encouraging the learning of the Japanese language among Kenyans. The nominee plans to influence young people's perspectives by highlighting available opportunities and proposing the establishment of exchange programs for university students.

***On how the nominee will address the issue of Kenyans incurring losses due to fraudulent motor vehicle transactions with Japanese sellers***

557. The nominee plans to tackle fraudulent transactions by closely examining the dynamics between buyers and sellers as well as investigating any breaches of business ethics within Japan. He also intends to develop clearer guidelines and support systems that protect Kenyans engaging in international vehicle purchases.

**3.25.2 Committee's determination on the Suitability of the Nominee to hold office**

558. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding his suitability for appointment as Ambassador to Tokyo, Japan that:

- (1) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to a state office since he is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee has extensive experience in foreign service, having served in various diplomatic missions and leadership roles both at the Ministry of Foreign Affairs Headquarters and several missions abroad.
- (3) The nominee has academic qualifications, including a Master of Arts in Diplomatic Studies, which provide him with a solid foundation for his role as Ambassador.
- (4) The nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the EACC, KRA, DCI, ORPP and HELB.
- (5) The nominee articulated a strategic vision for the Kenyan Embassy in Tokyo, focusing on technology, education, and promoting cultural diplomacy to enhance bilateral relations between Kenya and Japan.
- (6) The nominee demonstrated an impressive grasp of knowledge of topical, administrative and technical issues touching on the Office of the Ambassador to Tokyo, Japan and has the requisite abilities, qualifications and experience to serve as Ambassador to Tokyo, Japan.

**3.26 Mr. David Iboko Lokemer - Nominee for Consul-General to Dubai, UAE**

559. Mr. David Iboko Lokemer appeared before the Committee on Thursday, 11<sup>th</sup> April 2024 at 4.00 pm and was vetted under oath pursuant to Article 132(2)(e) of the Constitution, the Public

Appointments (Parliamentary Approval) Act, Cap 7F, the Foreign Service Act, Cap 185E and the Standing Orders of the National Assembly. The Committee noted the following:

***Citizenship, Date and Place of Birth***

560. The nominee is a Kenyan citizen of ID number 13425002 and was born on 2<sup>nd</sup> July 1973 in Turkana County. He confirmed that he does not hold dual citizenship.

***Academic and Professional Qualifications***

561. The nominee holds a Bachelor's degree in Arts in Political Science and Sociology and a Diploma in Human Resource and Development, both from the University of Nairobi, and a Certificate in Human Resource from Mombasa Polytechnic (Pwani University).

***Employment Record and Work Experience***

562. The nominee has served in the National Intelligence Service and the Kenya Police Service from 1995 to date. He has also served as a foreign relations officer to the Kenya High Commission in Kampala, Uganda.

***Public Office, Political Activities and Affiliations***

563. The nominee submitted that having been a permanent and pensionable employee of the NIS, he has never been engaged in any political activities neither has he been an official of any political party.

***Income and Net worth***

564. The nominee estimated his net worth as KES 60 million with the primary source of income being salary.

***Potential Conflict of Interest***

565. The nominee declared that he does not have any persons or matter that would present a potential conflict of interest, and should it arise, he would declare the interest in writing to the appointing authority in accordance with the law. He further submitted that he would establish a clear conflict of interest policy with clearly spelt out procedures for managing any such conflict.

***Integrity***

566. The nominee stated that he had never been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He also stated that he has never been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. He informed the Committee that he had fully complied with tax obligations to the State and had never been charged in any court of law or been adversely mentioned in any investigatory report of Parliament or any other commission of inquiry in the last three years.

**3.26.1 Oral Submissions**

567. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee and he responded as recorded hereunder:

***On how to safeguard Kenyans working in the UAE from exploitation and inhumane treatment***

568. The nominee stated that there's an existing MOU between the two governments spelling out a framework on how to address the challenges facing Kenyan workers in the UAE. The nominee stated that, if approved, he would ensure the successful implementation of the MOU. The nominee further expressed that the Ministry of Foreign Affairs is already working on what the nominee is required to do with respect to the administrative change of functions. He added that a comprehensive economic agreement was signed by the two countries stating how the two

countries will conduct business. He stated that it would be his duty to reach out to the relevant MDAs for its implementation.

***On the issue of lack of clarity with his first job***

569. The nominee spoke about the evolution of the National Intelligence Service. He clarified that he joined the Kenya Police Service before going on to join the intelligence service.

***On the pillars of Kenya's foreign policy***

570. The nominee stated that there are five main pillars including the economic, peace and political, and environmental pillars.

***On the issue of investment by Kenyans in Dubai and how the nominee intends to assist those individuals although he has no experience or knowledge of business***

571. The nominee stated that one of the roles of the consular is to provide information and that he would ensure that he provides sufficient information on transacting business in Dubai. He added that Kenyans should be wary of the financial systems used to transact business and that, if approved, he would conduct forums for public sensitization on viable business opportunities in Dubai and how to leverage them in favour of Kenya. It was his submission that he would even organize cultural events to promote close interaction with the Kenyans in Dubai. Furthermore, he stated that he would liaise with trade institutions and establish the position of a commercial trade officer to deal with all issues relating to business.

***On the issue of lack of indication of his net worth***

572. The nominee stated that he has immovable assets and has been unable to get a surveyor to value his land.

***On safeguards against the exportation of unskilled labour***

573. The nominee stated that as the consular general, he would liaise with the Ministry of Foreign Affairs and mission to identify the requisite skillset for job opportunities in Dubai. He added that, if approved, he would put in place mechanisms to ensure a thorough review of potential migrant workers to ascertain their credentials.

***On realizing a better balance of trade and how to tap the investment opportunities in Dubai***

574. The nominee stated that in collaboration with the Embassy in Abu Dhabi and through market research, intelligence and analysis he would identify the goods and services on demand in Dubai for product diversification. It was his submission that quality assurance and standard compliance should also be done to improve the products Kenya exports.

**3.26.2 Committee's determination on the Suitability of the Nominee to hold office**

575. The Committee, having reviewed the nominee's completed questionnaire, curriculum vitae and oral submission, made the following observations regarding his suitability for appointment as Consul-General to Dubai, UAE that:

- (1) The nominee is eligible for appointment to a State Office in accordance with Article 78(1) and (2) of the Constitution since he is a Kenyan citizen and does not hold dual citizenship.
- (2) The nominee possesses academic qualifications in Political Science, Sociology, and Human Resource Development from reputable institutions, providing a solid foundation for his role as Consul-General.
- (3) Having served as a foreign relations officer to the Kenya High Commission in Kampala, the nominee possesses the necessary experience to serve as the Kenya's Consul-General to Dubai, UAE.

- (4) The nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the DCI, EACC, HELB, KRA and the ORPP.
- (5) During the oral submissions, the nominee demonstrated an understanding of his role in safeguarding the interests of Kenyan workers in the UAE, implementing existing agreements, and promoting economic ties between Kenya and Dubai.
- (6) The nominee demonstrated a grasp of foreign and diplomatic relations. He was informed on issues relating to Dubai and the UAE and has the requisite abilities, qualifications and experience to serve as Consul-General in Dubai, UAE.

#### 4.0 COMMITTEE'S GENERAL OBSERVATIONS

576. The Committee, having considered the nominees' academic credentials and professional qualifications, work and professional experience, personal integrity, as well as their performance during the approval hearing, made the following observations:

- 1) Hon. Vincent Kemosi Mogaka, nominee for High Commissioner to Accra, Ghana, vide a letter dated 8<sup>th</sup> April 2024 (*Annexure 12*), notified the Clerk of the National Assembly of his withdrawal from the approval process pursuant to Section 6(10) of the Public Appointments (Parliamentary Approvals) Act, Cap 7F, therefore, his nomination lapsed.
- 2) All the nominees who appeared before the Committee are Kenyan citizens and do not hold dual citizenship in conformity with Article 78 of the Constitution.
- 3) All the nominees committed not to participate in any other gainful employment while serving as State officers as required by Article 77(1) of the Constitution.
- 4) In accordance with Article 77(2) of the Constitution and the Schedule of the Public Appointment (Parliamentary Approval) Cap 7F, none of the nominees holds office in any political party.
- 5) The nominees indicated compliance with Articles 75 and 76 of the Constitution on the conduct and financial probity of State officers. They indicated nonexistence of potential conflict of interest and committed to declare any should it arise.
- 6) By the set deadline of receipt of memoranda from members of the public, the Committee had received one submission from Mr. John Katithi Mueke expressing his support for the nomination of Ms. Carolyne Kamende Daudi as the High Commissioner of Kenya to Ottawa, Canada.
- 7) The EACC, in response to a request for information on the nominees, pointed out that it had not undertaken any investigations pursuant to its mandate against twenty-four (24) nominees, nor has it recommended prosecution of any of them save for **Mr. David Kiplangat Kerich**, **Mr. Ekitela Erastus Lokaale**, and **Hon. Joash Arthur Maangi**;
  - (a) On Mr. David Kiplangat Kerich, the Commission stated that the nominee is adversely mentioned in a matter under investigation involving recruitment irregularities in the Baringo County Assembly Service Board;
  - (b) On Mr. Ekitela Erastus Lokaale, the Commission stated that the nominee is adversely mentioned in a matter under investigations involving alleged embezzlement of car and mortgage funds in Turkana County Assembly;
  - (c) On Hon. Joash Arthur Maangi, the Commission stated that a recommendation to charge the nominee and other persons was made in a matter relating to National Housing Corporation Housing project to the DPP. The DPP returned the file to EACC for further investigations which are ongoing.
- 8) The three nominees are still under investigation by the EACC and have not been charged and convicted in a court of law. Article 50 (2)(a) of the Constitution provides that every accused person has the right to be presumed innocent until the contrary is proved. Therefore, it would be premature for the Committee to adjudge the nominees guilty of undisclosed offences when due process has not been carried out.
- 9) The nominations meet the threshold of the two-third gender principle and regional balance in line with Articles 27(3) and 232(1)(h) of the Constitution.



- 10) Twenty-five (25) out of the twenty-six (26) nominees who presented their academic and professional credentials and made oral submissions during the approval hearings, demonstrated their suitability for appointment in accordance with the provisions of Section 6(7) of the Public Appointments (Parliamentary Approval) Act, Cap 7F.
- 11) Pursuant to Article 232(1)(g) of the Constitution as read with Section 7(c) of the Public Appointments (Parliamentary Approval) Act, Cap 7F, the Committee is required to consider the suitability of the nominees for the proposed appointment having regard to the values and principles of public service particularly meritocracy as the basis of appointment. The nominee for Consul-General to Goma, DRC, Mr. Charles Githinji Keiru demonstrated a glaring lack of knowledge on the position of a Consul-General and the station to which he was nominated to serve in. As such, the nominee does not possess the requisite abilities, qualities, knowledge and experience, thus, unsuitable for appointment as Consul-General to Goma, DRC.
- 12) Prior to this approval hearings, Consuls-General were not vetted by the National Assembly after their nomination by the appointing authority. However, Article 132 (2) of the Constitution provides that the President shall nominate, with the approval of the National Assembly, high commissioners, ambassadors and diplomatic and consular representatives. Section 20 of the Foreign Service Act, Cap 185E reiterates the provisions of Article 132 (2) of the Constitution. These provisions imply that appointments of Consuls-General take effect only after approval by the National Assembly. Therefore, there is need to henceforth have Consuls-General undergoing approval hearings after their nomination by the appointing authority. Further, there is need to have the serving Consuls-General recalled for vetting and approval by the National Assembly.

**5.0 COMMITTEE RECOMMENDATIONS**

577. Having conducted the approval hearings pursuant to Article 132(2)(e) of the Constitution; Sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, Cap 7F; Section 20 (2) of the Foreign Service Act, Cap 185E and Standing Order 216(5)(f) of the National Assembly, **the Committee recommends that the House:**

**A) APPROVES the appointment of:**

- 1) Ms. Catherine Kirumba Karemu, as the High Commissioner, London, UK;
- 2) Hon. Joash Arthur Maangi, as the High Commissioner, Kampala, Uganda;
- 3) Hon. Lilian Tomitom, as the High Commissioner, Lusaka, Zambia;
- 4) Ms. Caroline Kamende Daudi, as the High Commissioner, Ottawa, Canada;
- 5) Lt. Gen. Peter Mbogo Njiru, as the High Commissioner, Islamabad, Pakistan;
- 6) Hon. Fred Outa, as the Ambassador, Cairo, Egypt;
- 7) Prof. Anne Kisaka Nangulu, as the Ambassador, Dakar, Senegal;
- 8) Mr. Timothy Kaluma Mcharo, as the Ambassador, Algiers, Algeria;
- 9) Hon. Christopher Andrew Lang'at, as the Ambassador, Abidjan, Cote d'Ivoire;
- 10) Ms. Jessica Muthoni Gakinya, as the Ambassador, Rabat, Morocco;
- 11) Hon. Halima Yussuf Mucheke, as the Ambassador, The Hague, Netherlands;
- 12) Mr. David Kiplagat Kerich, as the Ambassador, Washington DC, USA;
- 13) Ms. Everlyne Mwenda Karisa, as the Ambassador, Havana, Cuba;
- 14) Dr. Peter Mutuku Mathuki, as the Ambassador, Moscow, Russia;
- 15) Amb. Moi Lemoshira, as the Ambassador, Tokyo, Japan;
- 16) Mr. Kenneth Milimo Nganga, as the Ambassador, Abu Dhabi, UAE;
- 17) Lt. Gen. Jonah Mwangi, as the Ambassador, Tehran, Iran;
- 18) Mr. Abdi Aden Korio, as the Ambassador, Muscat, Oman;
- 19) Ms. Gertrude N, Angote, as the Permanent Representative, UNEP;
- 20) Ms. Grace Atieno Okara, as the Permanent Representative, UN HABITAT;
- 21) Dr. Fancy Too, as the Ambassador/Permanent Representative, Geneva, Switzerland;
- 22) Mr. Ekitale Erastus Lokaale, as the Permanent Representative, UN, New York, USA;
- 23) Mr. Ezra Chiloba, as the Consul-General, Los Angeles, USA;
- 24) Mr. Aden Mohamud Mohamed, as the Consul-General, Jeddah, Saudi Arabia; and
- 25) Mr. David Iboko Lokemer, as the Consul-General, Dubai, UAE.

**B) REJECTS the appointment of Mr. Charles Githinji Keiru as Consul-General, Goma, DRC.**

**C) RESOLVES that henceforth, Consuls-General should undergo vetting after their nomination by the appointing authority and that the appointing authority recalls the serving Consuls-General not vetted for vetting and approval by the National Assembly.**

SIGNED: .....  ..... DATE: ..... 16/04/24 .....

**THE HON. NELSON KOECH, M.P.**  
**CHAIRPERSON, DEPARTMENTAL COMMITTEE ON DEFENCE, INTELLIGENCE AND FOREIGN RELATIONS**

DATE: 16 APR 2024

DAY: Tuesday

TABLED BY:

Hon. Nelson Koech (Chairperson, Defence, Intelligence & Foreign Relations)

CLERK-AT-THE-TABLE: 89

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